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TEAMSTER CONVOY DISPATCH

109

VOICE OF THE TEAMSTER RANK AND FILE SINCE 1975 — July 1990 #97

'People Feel Like They're Part of the Local Again'

Great Georgia Victory!

It was hard to find a seat in the Local 728 hall for the June union meeting. After the seats had filled, the members kept walking in. Hundreds of them. Folks from Columbus and Augusta who had driven for miles, members young and old who hadn't attended a meeting in years. There were even many Teamsters who were experiencing their very first union meeting. More than 100 additional members crowded the fringes of the room after all the seats were filled. The Weldon Mathis Labor Complex—the hall's official name—hadn't been built to accommodate the rank and file, yet the members continued to pour in. For once, they felt welcome.

It's been like that at Local 728 since May 18, the day the Department of Labor counted and certified the election results of the rerun election. The day all seven positions on the executive board were swept by members of the Teamsters for Democracy (TFD) slate. The day the membership took control.

"It's a fantastic feeling, knowing the membership is going to stand together to build this local," said Vice President Doug Mims. "The support we're getting is tremendous. When you go out to talk to a group of people and they're surprised to see you because you're the first union official they've ever seen, it kind of tells you that you're doing something right."

What the newly elected officials are doing right is listening to the wishes of the membership and acting on them. In the first two weeks in office the new executive board—President Don Scott, Secretary-Treasurer Richard Black, Mims, Recording Secretary Waymon Stroud, and Trustees James Chancey, Ron Mullis and Ron Smith—has cut officers' salaries, begun to hold steward elections, and is in the process of setting up extensive training programs for the membership. Now, instead of starting the day at the union hall, all the officers and BAs are required to be out in the barns and shops working with the members.

"People here were ready for a change," said Don Scott. "We campaigned for a more democratic union and that's what we're going to provide. We've been split and now it's time to come together. It's time to heal the wounds. It won't be easy, but I think we'll be successful."

If membership involvement is a measure of success, the new officers are off to a good start. Immediately upon taking office, the union hall became a hive of activity with scores of members visiting daily. John Wayne Garrett, a UPS employee and supporter of the TFD slate described the change:

"The great thing is that people feel like they're part of the local again. When they walk into the hall they feel like they're among friends. On the

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Don Scott, Local 728's new president.

Carey Campaign Launches Petition Drive

In early June the Committee to Elect Ron Carey launched a major petition drive that could position the independent reform candidate as the front runner in the race to become the first-ever elected Teamster president.

The petition drive is being conducted under the election rules finalized a month ago by Election Officer Michael Holland.

The goal is to get enough signatures in June and July to name Carey as an officially accredited candidate for General President. The rules require some 38,553 valid signatures, or 2.5% of the 1,542,102 Teamster members across North America.

By submitting the petitions in August, Carey will be awarded space in the *International Teamster* magazine in October 1990 and February 1991, and then in later magazines as well. Any candidates, including the incumbent officers, who desire to become accredited and receive campaign space in the magazine must use the petition process.

Official petition forms, which are in compliance with the rules, are available from the Carey campaign for interested members to circulate. Those who request petitions will be provided with an informational packet as well from the campaign.

The Carey campaign is lining up regional coordinators for the petition drive, and recruiting as many members as possible to aid the process. In *Carey Campaign Bulletin #1,* Ron reports, "This campaign began and will continue to be a grass-roots campaign. That's why we especially like the petition part of the campaign. It'll prove our campaign begins and ends with the membership."

The petition drive is going to be important in many local unions as a first

continued on page 5

TFD Sweeps Supervised, Statewide Vote

Reformers Defeat Mathis!

In a major preview to the first-ever supervised election next year for IBT offices, 8,000 Georgia Teamsters stepped out front in May to choose a new direction for our union. In doing so, they dealt a serious blow to any future plans IBT Secretary-Treasurer Weldon Mathis may have.

Although there were five slates, the statewide Local 728 election came down to a contest between the Mathis family and Teamsters for Democracy. TFD swept all seven positions.

Many observers think Weldon Mathis' resignation in 1988 as president of the local, the Department of Labor investigation into the rigged election in 1987, and now the victory by TDUers over Weldon's son Lamar have put an end to Mathis' ambition to become president of the IBT.

"If Mathis can't carry his home state, how can he possibly win the rest?" is the obvious question being asked. Like the overall IBT election next year, the Georgia election was impartially supervised.

Rank and file Teamsters have every reason to celebrate. And even more, to make it the first in a long string of victories leading up to the 1991 vote for all International officers.

Georgia Teamsters have shown the way. It's up to us to follow it.

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This paper is paid for and distributed by concerned Teamsters. We invite you to do your part—join TDU to help improve our union. See application form on back page.

UNION SOLIDARITY

Auto Workers Demand Pension COLA

United Auto Workers (UAW) retirees and active members on the UAW National COLA on Pensions Committee have had a tough time getting their union officials' attention, but have succeeded in making a cost-of-living adjustment on pensions a priority for this year's contract talks with the big three U.S. automakers (GM, Ford and Chrysler). The committee says COLA on pensions not only gives retirees deserved protection from inflation, but also provides job security by encouraging retirement and thus opening up new jobs.

Widely different estimates of the cost of COLA on UAW pensions have been reported. The committee published a detailed plan that, for 30 cents per hour, would have provided GM retirees with at least $143 in 1989, covering a 5% inflation rate (for 1989 only). Surplus funds under this plan would have been available to provide even more to longer-time retirees who have been hurt more by inflation.

The UAW International, meanwhile, estimated the cost of providing COLA protection for GM retirees at $6 per hour worked, backing up corporate claims that COLA on pensions is too expensive.

In 1987, GM Canada said that full COLA protection for pensioners would cost the company $321 million in the first year, or 19.5% of its total (Canadian) payroll costs. But four months later, the Canadian Big Three automakers agreed to a COLA on pensions covering 90% of inflation, in a contract with the Canadian Auto Workers.

The COLA on Pensions Committee joined with the New Directions movement to tell UAW bargainers that COLA on pensions should be a top priority. A series of rallies, a letter and postcard campaign, and a floor rally at the UAW bargaining convention May 21-22 underscored the importance of the issue for rank and filers.

UAW President Owen Bieber told the bargaining convention, "We intend to make progress" in protecting the living standards of retired auto workers. He would not be more specific about COLA on pensions proposals.

Meanwhile, James "Whitey" Hale, president of UAW Local 326 and a member of the COLA on Pensions Committee, told the *Detroit Free Press*, "If they come out of their negotiations without COLA on pensions, they won't get the agreement ratified."

Photo by Jim West

Late Freight News

Vote at CEX

At press time *Convoy Dispatch* learned there will be a vote in the union halls on a new CEX contract proposal either June 30 or July 1.

No details have been released, but the proposal is expected to include a "profit sharing" (giveback) under Article 6 of the NMFA. Such givebacks require a 75% approval of the membership.

Conrad

Our Union Brother
died today
a bit of us
with him does lay

His fault to have
a heart of gold
while burdened with
the bossman's load

A fallen soldier
in the war of greed
who'll be sorely missed
in these times of need

We won't forget
your gentle way
until our bodies
with you lay

Rest in Peace
Polish Prince

"Ironsides"
June 8, 1990
Detroit

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How to Contact TDU

We want to hear from you. Contact us at one of the locations listed below for more information about TDU, or to send us articles or letters concerning Teamster-related issues.

National Office: P.O. Box 10128, Detroit, Mich., 48210. (313) 842-2600.

Washington Office: 2000 P St., N.W., Suite 700, Washington, D.C., 20036. (202) 785-3707.

N.Y./N.J. Office: YWCA Building, Room 620, 30 Third Ave., Brooklyn, N.Y., 11217. (718) 852-9230.

Western Organizer: Doug Allan, P.O. Box 7445, La Verne, Calif., 91750. (714) 593-9791.

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TDU International Steering Committee

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Dan Campbell, Saginaw, Mich. Local 486
Diana Kilmury, Vancouver, B.C., Local 155
Michael Savwoir, Kansas City, Mo., Local 41

Organizer:
Ken Paff, Detroit

Trustees:
Sarah Bequette, St. Louis Local 600 spouse
John Braxton, Philadelphia Local 623
J. Anthony Smith, Washington, D.C., Local 639

Members:
Scott Askey, Barstow, Calif., Local 63
Sam Fenn, Los Angeles Local 63
Jackie Jenkins, Memphis, Tenn., Local 891
Connie McArthur, Seattle Local 174
J. B. McCallister, Denver Local 961
Michael Ruscigno, New York Local 138
Don Stone, Detroit Local 283

Alternates:
Dana Beougher, Tampa Local 79
Gillian Furst, Minneapolis Local 1145
Rick Clark, Boston Local 25

Who We Are

CONVOY DISPATCH is the voice of Teamsters for a Democratic Union. We are the united rank and file movement to reform the Teamsters, created out of the merger of PROD and TDU.

We are truck drivers, dock workers, production workers—every kind of Teamster, and spouses, too.

We are a grassroots organization with chapters from coast to coast in the USA and Canada. We believe in returning this union to the membership and we are doing it. We are a democratic organization in which every member has a voice and vote. Our 15-member International Steering Committee was elected in November 1989 for one year. Our Rank & File Convention had over 500 representatives present.

We are proud Teamsters standing up for our rights. TDU invites all Teamsters interested in defending our contracts and reforming our union to join us. We do reserve the right to exclude those who are opposed to TDU and its principles.

Rank & File Bill of Rights

I. DEMOCRATIC BY-LAWS. All business agents and stewards should be elected. Vacancies in office should be filled by special election within three months. Local union committees should be elected. Contract and strike votes should be by majority (not two-thirds). All contracts should provide for elected officers retaining company seniority.

II. DIRECT ELECTION OF OFFICERS. General President and all International officers should be elected by the membership. International VPs elected by regions. An end to trusteeships and split-off locals.

III. A FAIR GRIEVANCE PROCEDURE. Innocent until proven guilty, right to remain on the job until final procedure completed. Grievance procedure should include right to a speedy trial, arbitration by peers, and the right to strike if necessary.

IV. PRESERVATION OF WORKING CONDITIONS. The union's purpose is to expand and preserve what we have, not trade it away for anything less. People come first, not productivity.

V. SAFETY AND HEALTH. We have the right to enter the workplace without fear for our health and leave in the same condition we arrive. Teamsters should have the right, backed up by our union, to refuse unsafe work or hazardous conditions. We are not machinery.

VI. EIGHT-HOUR DAY AND FIVE-DAY WEEK. Forced overtime and unfair dispatch rules destroy our family life and cost us jobs. No mandatory overtime, "flexible" work weeks, or 70-hour slavery. We are for the advent of the four-day work week. We work to live, not live to work!

VII. A DECENT PENSION. Every dollar in the pension funds belongs to us. We are entitled to 25-and-out, cost of living on pensions, and union pension trustees elected by the rank and file and retirees to safeguard our money.

VIII. JUST SALARIES FOR OFFICERS. A union officer can't understand the problems of members who make less than half what he makes. No officer should make more than the highest paid working members in his jurisdiction. No multiple salaries from union, company, or government sources, or special fringes and pensions. Salary increases limited to the average increase for membership, and subject to membership approval.

IX. EQUALITY AMONG TEAMSTERS. Bring all wage levels up to the highest standards, not a lot for the few and little for the many. Fight the hardest for the lowest paid.

X. END TO DISCRIMINATION. Employers have used the differences in age, race and sex to divide us for decades. We oppose these injustices and divisions. Support affirmative action to correct past injustices. Employers should bear the cost of their past discrimination, not the members.

PAY ATTENTION TO YOUR PENSION

Western Conference Trustees Put Risk on Employees' Shoulders

Future Benefits at Mercy of Wall Street, Employers

A study of the legal documents that govern the Western Conference of Teamsters Pension Trust has revealed that future benefit levels can be frozen or reduced if investments are poor. In fact, a formula in the legal document calls for freezing or reducing future benefits to keep a cap on unfunded liability that is far below the legal limit. This means that members are forced to risk future benefits so employers can keep contributions low and at the same time be protected from withdrawal liabilities.

Financial documents also show that the Western fund could afford a substantial 30-and-out benefit. Teamsters in the fund are younger, with fewer years of credit, than plans of comparable size like the Central States Pension Fund, so benefits are less expensive. And the Western fund is financially stronger, having reached full funding as of Dec. 31, 1988. But the Central States fund already pays a $1,000 30-and-out, and could afford up to $2,000 for a 30-and-out, even before expected increased contributions from contract negotiations. The Western fund has no 30-and-out.

Benefit Reduction For Younger Teamsters

Instead of 25- or 30-and-out benefits, the Western fund has begun paying Teamsters a percentage of negotiated employer contributions. But this benefit will not hold up over time. When inflation is taken into account, it amounts to a reduction for younger Teamsters.

In fact, the "Contributory Service Benefit" (2% of employer contributions for the first 20 years of credit; 2.65% for the following years) will pay less than what those contributions could earn in a standard 401 (k) plan. Take the example of the average member in the Western fund. This Teamster enters the plan at age 28 in 1987, and is assumed by the trust to retire at age 61. His or her employer pays the 1987 average contribution rate of $1.03 per hour, which increases by 4% a year until retirement. Our average Teamster works 1,576 hours per year.

After 33 years, this member will have earned a pension benefit of $2,691 per month. But if the same contributions had been made to a standard 401 (k) plan earning a conservative 8% interest, this member would get $3,086 per month on retirement (on an annuity basis, taking both interest and principle into account). But in 2020 when the Teamster in this example retires, that $2,691 will be worth about $830 in today's dollars.

To match the benefit possible from a standard 401 (k), the contribution-based formula would have to be increased to 2.75%. But our union trustees have agreed with employer trustees not to do this if it increases the unfunded liability. (See Article VI, Section 4 of the fund's "Agreement and Declaration of Trust," which is available from the fund. The trust agreement is the "contract" between the union and employers on how the fund is managed.)

Changing the Plan's Goals

Our union forefathers had good reason to set up our pension funds as "defined benefit" plans. This meant that members' benefits would be guaranteed even if the fund were to have a bad couple of years in the stock market, and even if employers were to get small concessions in contribution rates. But now, every penny by which contribution rates lag behind inflation cuts directly into pension benefits. And the members—not contributing employers and not the pension fund with its $9.1 billion—take the risk of investments, good or bad.

The goal of our defined benefit plan was to get for our members the best pension possible. The apparent goal of this new-style plan is to pay whatever pension benefits will cause no risk to employers.

What Full Funding Means to You

Full funding simply means that the pension fund has the money right now to pay all the benefits currently earned by members, even if the fund's income were to stop tomorrow. But the fund's income won't stop tomorrow. Its investment and contribution income is healthy. In fact, a pension fund the size of the Western fund is considered to be healthy if it has on hand 55%-60% of the currently owed benefits.

So full funding doesn't do the members much good. But it is a big help to employers. If a contributing employer pulls out of the fund, at the bargaining table or through bankruptcy, that company must pay a share of the unfunded benefits liability. That "withdrawal liability" is an important incentive for employers to stay in the fund. An internal UPS management document noted withdrawal liability as a major reason UPS can't bargain its way out of most Teamster pension funds. But the Western fund has no withdrawal liability because it is fully funded.

A Better Union, a Better Pension

The political climate and rank-and-file organizing for better pensions mean many Teamster pension funds will likely raise benefits with the new UPS contract. But to protect those gains, and make sure our pension funds respond to the concerns of the rank and file, a new leadership is needed. The 1991 IBT Convention will be the first chance for the rank and file to have a major voice in our union's highest decision-making body. With enough rank and file delegates there, 1991 will be the Pension Convention.

See editorial on maintaining our Teamster pension funds, page 15.

Central States Trustees Backtrack Under Pressure on Full Funding Policy

Still trying to put out the fire among rank and file members calling for better pensions, the Central States Pension Fund trustees continue to send representatives to local unions. The fund's executive director has even agreed to meet with a group of rank and filers, the Ohio Teamster Pension Improvement Committee (OTPIC). But honest answers have yet to emerge.

The good news is the trustees promise unspecified increases with the UPS contract. The bad news is they're trying to hoodwink the rank and file by rewriting history on their policy of full funding.

What They Say About Full Funding, Then and Now

In February 1989, the trustees sent to each member a white-covered booklet titled "Your Trustees Report About Your Pension Fund," which tried to explain why the trustees were not going to raise benefits, even though the fund was doing remarkably well financially. The explanation given was the goal of full funding.

"As Trustees, we believe that paying off the unfunded vested liability is a top priority. ... To make absolutely sure (this goal will be met), for some time now, we have been moving your Pension Fund more strongly in the direction of being 'fully funded,'" they said on Page 4 of the report. And on Page 7, "We are confident ... that within the next few years, your Pension Fund will reach its goal of becoming fully funded."

Not being fully funded, or having a significant "unfunded liability," is a legal and respected practice for multi-employer pension plans like Central States. Full funding only helps employers avoid contribution increases and "withdrawal liability"—the portion of unfunded liability employers have to pay if they leave the fund.

How times change. As a result of *Convoy Dispatch* articles, educational meetings, rallies and other rank and file pressure—and an independent actuarial report that said full funding at the expense of benefit improvements is not a good goal for our pension fund—the trustees are now denying they ever sought full funding. Their representatives are visiting local unions and telling members, "It is not a goal of the fund to become fully funded." (David Secrest, manager of participant services, at Columbus Local 413 in May.) According to Secrest, there was "confusion" about what the "Trustees Report" had said!

Full Funding on the Horizon

The trustees are saying clearly that there will be benefit improvements with the UPS and Master Freight contracts. But it will take more than putting negotiated contribution increases into benefits to get the fund off its collision course with full funding.

According to the independent actuarial study published by TDU, full funding will be reached in early 1994 assuming no changes in benefit levels and contribution rates, or if benefits only rise by the amount covered by contribution increases. This 1994 projection is *conservative,* since it takes into account a continued decline in active membership, and an investment return of 9%—compared to the fund's 16% average over the last five years.

Manager Says Central States to Revamp Re-employment Rule

Rank and file pressure and lawsuit preparation by TDU seem to be persuading the Central States Pension Fund trustees to rewrite their rule on working while drawing pension benefits. Up to now, the fund's rules cut off the benefits of any retiree who works at any type of job that is or could be represented somewhere by the IBT (except: service station attendant, janitor, school bus driver, security guard).

According to David Secrest, the fund's manager of participant services who spoke at Columbus Local 413 in May, the re-employment rule will be greatly altered within two months. Its enforcement has gotten too bureaucratic, Secrest said. While restrictions on working for contributing employers will remain, Secrest said the rule will be greatly liberalized for other employers.

The rule change may come just before TDU enters court for a legal remedy. TDU attorneys have been helping potential plaintiffs in the suit go through the internal pension fund appeals so the court will hear their cases. This preparation for legal action will continue until the pension fund announces a satisfactory change.

ELECTION, LEGAL NEWS

Carey Campaigns in Boston

You've Got the Right Campaign

Dennis John Nagle
Local 25 steward, Star Market
Boston, Mass.

That's right, "YOU DO HAVE THE RIGHT." These were the words of our next Teamsters General President, Ron Carey, when he campaigned in Boston May 4-6. Those words echoed time and time again as Carey brought his campaign to the home turf of the current president, William J. McCarthy.

Ron's first stop was at the Star Market distribution center in Norwood, Mass., where 325 Teamsters work. Ron spoke about his vision and what he will do once he is elected, to ensure us all a safe and secure future. To start, he said, "We need to fight union corruption and change our image. Anyone with their hands in the cookie jar will be gone.

"We need to fight for more imaginative contracts. Ones that don't pit one union member against another," he said. "Two- and three-tier wage scales are wrong. We must let management know that the party is over!"

Concluding at Star Market, Ron said, "We need to revitalize our union. We as an organization are losing clout and members. We must organize our organizers. We must put people in place that will work hard and be accountable. I HAVE THE RIGHT to expect these things and you the members, YOU'VE ALSO GOT THE RIGHT! That is what this whole campaign is about."

Later that evening at a fund-raiser held for Ron in Somerville, he spoke to many Teamsters and other union reform activists on how to get this union back on track and out of the hands of the crowd at the Marble Palace. "Under the present leadership it has been business as usual. People get indicted and then promoted. Our credibility as a union is going down hill."

Although Ron's stand on corrupt union officials is steadfast, he believes there are many honest officials and he called for their support. "What I'm asking here is not unreasonable. I HAVE THE RIGHT to expect honest and decent leadership and YOU'VE ALSO GOT THE RIGHT. It is my union and it is your union, not a big business controlled by a chosen few."

Ron emphasized the importance of activists in the Teamsters union to form reform slates of delegates from each local across the country. "The delegates will have the opportunity for the first time not only to nominate all International officers, but they will play a crucial role on constitutional changes," he said.

Dorchester Local 504 sponsored a meeting May 5 to introduce Ron to its membership, and some 70 Teamsters, mostly freight and warehouse workers, attended. They left the hall with more enthusiasm than I have seen in my 12 years as a Teamster. *This man cares. He has vision. He has a plan. He tells it the way it is*—these were just a few of the comments that were made to me. The hottest issue at this meeting was the New England Teamster Pension Fund. Ron committed himself, to the best of his ability, to reform all pension plans. This he feels can be done through the will of the 1.5 million Teamsters he plans to lead.

Ron met with more than 250 Teamsters, mostly UPS employees, May 6 in Taunton. Bob Lassard, a very active reform-minded Teamster at UPS, was Ron's host. This meeting was the frosting on the cake. Ron spoke for about 40 minutes and was interrupted repeatedly by applause. After his speech, he fielded many questions. One member from Local 25, McCarthy's local, was recognized twice during the meeting and on his second time up said, "This is great, at our local meeting, McCarthy refuses to recognize me more than once in any meeting."

This comment hits the core of the Carey campaign. DEMOCRACY! Ron believes with deep conviction that this union belongs to the membership, and believes YOU'VE GOT THE RIGHT to speak your mind.

"I work for you, and you are my board of directors," Ron said.

Presidential candidate Ron Carey reached out to Star Market workers in May.

Carey is on the road bringing this campaign to you, the rank and file. His time was very productive. He met personally with about 1,000 Teamsters and several thousand dollars was raised and pledged. But more important than statistics, Ron is proving to the membership that he is indeed a serious candidate and is determined to give us back our union.

After traveling with Ron, there is no question, this man is for real. I hope all Teamsters across this country and Canada support this man's quest for justice, equality and dignity in our once-great union. I urge everyone to roll up your sleeves and get to work on electing reform delegates to the IBT Convention in June 1991. Check out Ron Carey's record over the 22 years he's been president of Local 804. His record speaks for itself. Ron needs our help and ideas to make things right. If you need information, contact the Committee to Elect Ron Carey (718) 786-9030. Just remember, YOU'VE GOT THE RIGHT CAMPAIGN!

Ghosts, Racketeers Bag Millions

TDUer Files Suit to Uncover Details

Presidential candidate Ron Carey vows that once he is elected, our employers will learn that "the party's over." But Carey has not been elected yet, the rank and file have not gained control of their union yet, and the party's not over at the International.

Jackie Presser died in July 1988, before he could stand trial for diverting union funds in a ghost-employee scam. But after his death, he became a different form of ghost employee. In 1989, a year after his passing, Presser's estate received $514,571 in an "equity" payment. International VPs Schurr, Peters and Holmes, who all were forced out of office in the wake of the RICO settlement, also received six-figure "equity" payments.

Long-time Presser associate Harold Friedman was convicted in January 1989 of racketeering in the ghost-employee case, but it hasn't crippled his standard of living too much. His wife took over his position and big salary in Local 507. Recent research reveals that Bakery Workers Local 19, a subsidiary of Teamsters Local 507, paid Friedman the incredible sum of $1,056,207 in 1989! Friedman also received money from the IBT, Local 507, the Ohio Conference, and Cleveland Joint Council 41, for a total of more than $1.35 million in 1989—breaking his own record for World's Highest Paid Union Official.

International officers have continually attacked the coming IBT election because of its financial cost to our union. Now a rank and file Teamster from Baltimore Local 355 is trying to solve three mysteries about our International union: Why did Presser's estate and the other "retired" union officers receive these "lump sum benefits"; and, how many millions of dollars did the IBT spend on legal fees last year to try to prevent free and democratic elections from taking place in our union in 1991?

Jim Withrow, a UPS feeder driver and co-chair of the Baltimore TDU chapter, filed suit June 14 against President William McCarthy, Secretary-Treasurer Weldon Mathis and the IBT in order to obtain answers to these questions. Withrow's curiosity was aroused after he examined the International's 1989 financial report (LM-2) and noticed that the union paid $9 million in "professional fees"—a dramatic increase over previous years—and a cool $1 million to several deceased or retired officials from something called the "Retirement and Family Protection Equity Plan."

Members have the right to inquire about information contained within the LM-2 report, thanks to two cases TDU attorney Paul Levy filed and won in federal court. Withrow's inquiry was denied by the International, thus the legal action. The TDU legal team expects to win this lawsuit and provide answers to the membership. Full coverage of union financial reports will appear in *Convoy Dispatch* soon.

Central States Trustee Retires, Refuses to Reveal Multiple Pensions

Marion Winstead, long-time president of Louisville Local 89, announced his retirement at the June 8 membership meeting and told members his multiple pensions are "none of your g-- d--- business!"

Winstead, one of the union trustees of the $10 billion Central States Pension Fund, had said he was proud to draw a $2,000-a-month pension from the fund. But when Local 89 member Henry Tingle asked how much he will draw from his other officers-only pensions, Winstead exploded. He said he'll stay on as a pension trustee until a replacement is appointed.

Like certain other of our union pension trustees, Winstead forgot that his pensions are paid by the members' dues and certainly are our business.

Local Union Plans

Locals that have regular officer elections scheduled this fall have the option of holding their delegate elections at that time (on separate ballots), or waiting until the winter delegate-election period. If your local has this option and decided to hold delegate elections in the fall, it must have filed a Local Union Plan with Elections Officer Michael Holland by June 30.

Members have the right to a copy of the LUP from their locals. Request one now, in writing, and send a copy of that request letter to the Election Officer as well. You can then send any criticisms or suggestions you may have to the Election Officer, for his consideration. The period for input will be short. The TDU office will help you with this process—contact us.

Shakeups at Top of IBT

Rearranging the Deck Chairs on the Titanic

Teamsters across the state of Georgia on May 18 put another nail in the political coffin of Weldon Mathis, the man who for a few months in 1988 served as acting General President of the IBT. They swept the Mathis family dynasty out of the 8,000-member Local 728, electing the Teamsters for Democracy (TFD) slate, consisting of leaders committed to a new direction for our union.

But Mathis is far from alone. It seems you need a score card to check on those falling from power, and falling out with each other, at the top of the IBT. Virtually every one of the 17 members on the General Executive Board (there is currently one opening on the GEB) is involved in intrigues, power plays and jockeying for position.

Central Conference

Gairald Kiser of Cincinnati recently completed what may be the shortest stint on the GEB in the history of our union. He was pressured to resign by William McCarthy just months after McCarthy appointed him! In his place came Jack Yager of Kansas City. There is not a word in the June *International Teamster* magazine of Kiser's sudden fall.

This was part of a larger faction fight, as McCarthy and Yager promptly moved to oust Dan Ligurotis as chairman of the Policy Committee of the Central Conference of Teamsters. In May, Yager replaced Ligurotis, a one-time McCarthy ally, as chairman.

The Central Conference Convention, held in St. Louis in May, was the scene of a wild shouting match between Ligurotis and McCarthy. Chicago officials backing Ligurotis chanted, "Billy must go," and marched out.

Yager himself must wonder about his own standing. He was replaced as freight director by International Vice President R.V. Durham of North Carolina.

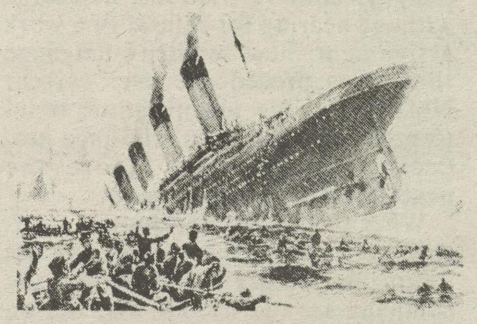
Charges Pending

One of Yager's and McCarthy's allies in the Central Conference is George Vitale of Michigan. He was voted out in his own local last fall, but with McCarthy's help he got a new vote to get it right. The U. S. Department of Labor is now investigating that deal. Meanwhile, Vitale faces seven charges filed by Investigations Officer Charles Carberry, so he likely will not be around much longer.

Perhaps anticipating this ouster, Joe Valenti, the president of Detroit Local 214, has announced he will run for International vice president next year. Valenti is a relative unknown and what motivates this move is anyone's guess.

Eastern Conference

The five International VPs in the East—Joe Trerotola, Teddy Cozza, Walter Shea, R.V. Durham and Francis Hackett—have been McCarthy allies. But no one will bet on that holding up. Cozza, of Pittsburgh, awaits the outcome of charges brought against him by Carberry.



Meanwhile, Johnny Morris, the president of Philadelphia Joint Council 53, announced in early June that he will run for regional International VP from the Eastern Conference. Morris, an old-line Teamster known for his gruff style, is remaining non-committal on McCarthy, and also on reform candidate for president Ron Carey.

Western Conference

In the West, a power bloc is forming led by International VP and Western Director Arnie Weinmeister—who is now vying to be the highest paid union official in the world. Weinmeister, International VP Mike Riley of Los Angeles, Ben Leal of San Francisco Local 856, and Chuck Mack of Oakland Local 70 are allied to get onto a slate.

International VP Jack Cox of L.A. is not in this particular clique. He recently lost a bitter fight to Riley to head L.A. Joint Council 42. On May 31 he issued his own letter to Western officials, stating he didn't back Weinmeister. But incredibly, this supposed McCarthy ally did not mention McCarthy in the letter at all, and instead stated that he was looking for new candidates for leadership "who have not yet declared their intentions." He closed the letter with another slap at McCarthy, stating he hopes that "the fortunes of the IBT will improve in the not-too-distant future."

Not a Principle in Sight

While those with the big salaries at the top of the union rearrange the chairs and stab each other in the back, there is not an iota of principle involved in any of this. None of these incumbent top officials are putting forward a genuine program for the future of our union. That task is being carried forward by independent candidate Ron Carey and other Teamster leaders who may come forward to join his coalition.

Carey Petition Campaign

continued from page 1

step in the race for delegates to the June 1991 IBT Convention. All delegates will be directly elected from each local union, this fall and winter.

Teamster members can circulate petitions where they work, throughout their local, on the road or at plant gates. Any Teamster who wants to participate in this historic effort should contact the Committee to Elect Ron Carey, Box 1232, Long Island City, N.Y. 11101.

Carey Takes Campaign to the Members

The petition drive is the first big national move in the growing Carey campaign. But Carey has already been on the campaign trail for months, and has already traveled to 28 states to reach the Teamster members who will be the first in the 88-year history of our union to vote for International union officers.

Support has been strong in every area visited, and members have already donated more than $125,000 to the campaign warchest. Carey reports that he needs $1.5 million to run the campaign needed to win.

Carey's platform is one of forward-looking unionism. He speaks of the need for a strategic plan to carry us into the 21st century, of a democratic and open union, of ending all traces of corruption, of tough negotiations where the employers will know "the party's over," and of union officers who work for the members "without the multiple salaries."

Carey has not yet announced who he will be running with, but has repeatedly stated he will be building a leadership coalition widely representative of the Teamster membership.

Watson Charged With Accepting Employer Contributions

Labor Secretary Dole Orders Rerun Presidential Election in Nashville

David Bowden
Local 480, UPS
Nashville, Tenn.

In a recent action, Secretary of Labor Elizabeth Dole ruled invalid the election of Luther Watson as president of Nashville Local 480. The specific charge stemming from the November 1989 election was that Watson violated Section 401 (g) of the Landrum-Griffin Act in that moneys of an employer were contributed or applied to promote Watson's candidacy.

Watson's disregard for the rules was exhibited at a pre-election meeting in which he told opposing candidates he was going to do things his way and if anyone didn't like it, they could fight it in court. Watson wields quite a bit of political muscle in the Teamsters, which might explain his above-the-law mentality. Playing with a stacked deck is no new game to him, especially when he's providing the cards.

An educated membership is dangerous to many incumbent Teamster officials seeking re-election and they strive to keep that membership in the dark. As a result, issues that are really important become lost in the strife and disunity promoted by incumbent officers afraid to address these issues.

It's ironic that the divide-and-conquer strategy used by management to whip employees into line is the very tool used by fearful Teamster officers in their campaigns. A case in point would be the November 1989 election in Local 480.

Watson is a man whose political life in the union has spanned a quarter of a century. His titles are numerous. In addition to being president of Local 480, he is director of Joint Council 87, secretary-treasurer for the Southern Conference, an International Rep for the IBT, a member of the master freight negotiating committee, chairman of the Southern Multi-State Grievance Panel and, finally, co-chairman of the Area Grievance Committee. As far as his salary goes, to say Watson is a "double-dipper" would be a gross understatement.

With all of these jobs and the responsibilities that go along with them, a member might wonder when Watson could possibly have the time to run the local union. The truth of the matter is that Watson spends very little time and energy on Local 480. Consequently, the membership suffers and under his leadership the situation seems to get worse and worse.

That was what motivated me to run against Watson in the November election. After 14 years at UPS I was fed up with lousy contracts and frustrated by the local's apathy and contempt for the membership. I felt a change in leadership was long overdue. The campaign involved lots of the members and we built support quickly by sticking to a platform of the tried-and-true basics of collective unionism. We relied on the good old-fashioned program of honesty, integrity and toughness. Needless to say, I wasn't the employers' choice in the election.

The deck that we were forced to play with had too many jokers. The employers' man, Luther Watson, felt he could stack the deck. He almost got away with it. After exhausting our union remedies and amid cries of "sore loser" and "bad sport" we went to the Department of Labor. The DOL investigated and recognized the rigged game, and has since ordered new elections for president.

This is a big victory for Nashville and for the rest of the country. With a new election under DOL supervision, the jokers will be thrown out and the company bagmen won't have the opportunity to foul a union election with tainted funds. Then, maybe, this local can get back to its real purpose for existing—to represent the members and build the labor movement.

FREIGHT NEWS

Third Contract Proposal in Mail

Owner-Operator Unity Builds at Central Transport

Jim Hobbs
Local 92, Central Transport
Boston, Mass.

Central Transport owner-operators are standing strong against a greedy employer. The solidarity of these 880 road drivers in their bid for a decent contract has put Central's management, the local unions involved and the IBT on notice that we will not tolerate any more sweetheart deals.

A third contract ballot was mailed to the membership June 8. Prior to the mailing, TDU attorneys, acting at the request of myself and other drivers, sent a letter to IBT Freight Director R.V. Durham and General Counsel James Grady seeking a copy of any agreement reached and information on plans for local union meetings to explain the proposal. On June 7, Durham responded that a copy of the proposal would be sent with the ballots. He failed to address the question of holding local meetings, and no meetings were held.

The third contract is the same offer turned down March 31, 1990, because of language that is very harmful to the membership. The one major change was the return to mileage pay rates under the 1985-88 agreement, which had been turned down in March 1989.

The negotiators of this proposal still want Central's owner-operators to accept the following: 24-hour layovers without pay; mileage rates 10 cents per mile less than other union carriers; hourly rates $3 less than other union carriers; road drivers to perform city pickup and delivery services at the instructions of the company without restrictions; discharge without hearing for refusal of a work assignment; new seniority language that takes precedence over current NMFA language; and questions of interpretation under the grievance procedure to be taken before the negotiators of the agreement.

What the agreement doesn't say is that negotiators Carlo Scalf for the union and Henry Beschard for the company are old friends who ran on the same union ticket in Detroit Local 299 before Beschard was hired as Central's labor relations officer. (No conflict of interest here.)

A Contract, Not a Telegram

A telegram attached to the proposal stating Central will pay back wages within 30 days is contradictory to the wording of the actual proposal. The telegram also contradicts the actual proposal on holiday pay and waivers of NMFA rights. This is the hammer being used to push through a bad agreement. But our vote is on a contract proposal, not a telegram.

Central owner-operators during the past year have seen work opportunities and our earnings eroded by a greedy management and by union officials who have lacked the guts to stand up and do a job.

Underhanded Tactics

The company has used back-door tactics in its efforts to squeeze a contract through by sending letters to our homes and attaching them to our paychecks promoting false notions about the company's financial position. This is done in an effort to influence our wives with the prospect of job loss.

The fact is Central Transport had 1989 net profit of $2.8 million. Profit will undoubtedly rise with the rate increases that went into effect in November 1989 and again in January 1990. The sales force was instructed after the last increase not to discount the increase away.

Eastern and Southern terminal managers have received a five-page

continued on page 7

So What's a Coupla Minutes?

Russ Levey
Local 773, Preston Trucking
Allentown, Pa.

Plenty, Bud, if you're a road driver. Jersey City and Woodbridge drivers give up 30 of them every time they're dispatched from their home terminal. If a driver makes five trips a week, that's 150 minutes of clock time given up. Know what else? It's around $40 a week or more. You don't have to be a brain surgeon to figure out that comes to $2,000 a year. Why do they do this? Because it's in the contract.

If you think that's something, how about the guys from the Philadelphia-Wilmington, Harrisburg-York and Allentown-Scranton areas? They give up 30 minutes at the beginning of their trip and 15 minutes at every terminal they go to after that. The fast turn drivers give up 30 minutes in the beginning and 30 minutes at their turnaround point. Talk about losing money! If the slow turn drivers went to only four terminals a night, that would add up to 90 minutes. After five trips a week, that sounds like $118 a week or $5,900 a year, minimum. Why? Because it's in the contract.

Think about it. When dispatch calls you into work at 10 and they're not ready for you till 10:30, you've lost half an hour; but you sat in the drivers room without getting paid. Do city drivers give up half an hour when they punch in? Does anyone in dispatch? But you just try showing up 30 minutes late and see what happens.

Is there a company today that doesn't work by computer? No way. You get a two-hour work call. You'd think the load would be ready and the company would have its work scheduled out in advance. But they get 30 minutes to play with—your free 30 minutes.

Contract time is right around the corner. If you're tired of giving up free time and lost money, then it's up to us to do something about it. Don't just complain, change the contract. We've got to have a voice in the contract negotiations and get rid of these giveaways.

This Bumper Sticker? It's like using your Air Horn to let that passenger on a Greyhound know he's riding with a scab!
HONK if u ♡ Your UNION
3214
65803
BIG JIM

Freight Lines

Trucking Wars.

Management has a new psychological weapon in its attempt to break down unity among Teamsters: declaring "war" on other carriers and their employees. In a recent memo from St. Johnsbury management to its employees, the company reacted to promotional brochures put out by Preston Trucking that depicted St. J as a "poor quality carrier." St. J management stated, "This attack should stir your gut feeling and we as a group should be extremely upset."

Stirring up some more "gut feelings," the memo continued, "It appears they (Preston) have declared war with us ... we are targeted and portrayed as wimps that will merely stand still while the competition takes our business." So far, attempts by management to get Teamsters to stand by their boss instead of their fellow Teamsters hasn't had much effect. As one driver put it, "The only war I'm interested in is the one I have to fight every day with management." Now there's a real Teamster talking.

Profits Still Down, but Companies Optimistic.

First quarter 1990 financial reports are in and it's the same old story—higher tonnage, bigger revenue, but reduced profits. It's also the same old culprit—rate discounting. The good news is that pressure to discount rates is declining. George Robertson, an LTL trucking specialist with Alex Brown and Sons, said, "The next economic expansion is likely to be better for truckers than the post 1982 expansion because the post deregulation shakeout appears largely over and freight rates are more likely to keep pace with inflation."

At CF, net profits were $21 million in the first quarter with revenues up 7%. Roadway had net profits of $16 million with revenues up 12%. Yellow Freight's revenues increased by 8% with $13 million in net profits.

Antitrust Case Continues Despite Sale.

Lifschultz Fast Freight, a small New York-based carrier that is seeking some $600 million in damages from the Big Three carriers, has sold its LTL operations. The company was sold to Salson Trucking of Jersey City, N.J. Lifschultz's antitrust lawsuit against Roadway, CF and Yellow alleges that they conspired to drive smaller LTL carriers out of business by using below-cost pricing in certain traffic lanes.

When the suit was filed in 1987, few industry experts considered it more than a nuisance. Calvin Crary, a litigation analyst at a New York securities firm, disagreed. "You can't say Lifschultz has it in the bag, but you can say he has a pretty good case," he told the *Akron Beacon Journal* May 6.

Getting Ready for the NMFA.

It's less than a year away from 1991 NMFA and freight Teamsters around the country are already preparing for the negotiations. In Philadelphia, Preston drivers and others have put out a list of supplemental demands to their over-the-road contract and are circulating them throughout the area.

In Mississippi, a group of drivers out of Jackson Local 891 have started a conference newsletter, "The Plain Truth of the Rank and File," which will solicit suggestions for the Southern Conference Supplement.

"I think it's a great example of not waiting until the last minute to campaign for contract changes," said Dominick Buscemi, a hostler for Preston out of Local 773 in Allentown, Pa. "It also shows that the rank and file are learning that this is our union and we can get control back and come up with the kind of contract that we can all live with."

Don't Blame the Union

PIE-Transcon Mess Began With Management

Don Landis
Local 773, PIE
Allentown, Pa.

You don't have to be a Donald Trump to appreciate the behind-the-scenes maneuvering in the PIE-Transcon merger. This story contains more plot twists and red herrings than a dozen episodes of "Twin Peaks." The deal also had enough dummy corporations, intrigue and deceitfulness to satisfy even the most jaded Wall Street tycoon.

Despite his many statements to the contrary, Harold Doyle, president and CEO of PIE, knew exactly what was going on all along. He had to be especially aware that the two seniority boards would eventually dovetail. It doesn't take a genius to understand Article 8, Section 6 of the NMFA. The language is clear on how seniority lists will dovetail in case of a merger. Unfortunately, management's loyalty remains with the bottom line, and not with the people who've sacrificed their hard-earned wages during the last five years in a misguided attempt to buy job security.

Doyle realized there would be a backlash of resentment. He cleverly prepared for it by making the union the scapegoat. His memos constantly portrayed the IBT as the bad guys, the cause of all our troubles.

On June 4, Doyle wrote, "Since the (union's) seniority decision, the (company) lost its purpose and negative feelings (are) hurting us." He even attributes a drop in business to the decision! Earlier memos refer to the IBT as an outside force that was not looking out for our best interests. To date, the IBT has not responded to these union-busting tactics. Sorry Harold, but if there's any negative feelings among the troops it's because we know we've been had again.

The merger was Phase 2 of PIE's "share the pain" plan. Former Transcon employees are not being given their vacations earned from last year and their last two paychecks are bouncing into the sunset. Several breakbulks are being closed and hundreds of employees will be laid off. The talk of new financing and equipment purchases is a setup for Phase 3. It could be just a matter of time before PIE asks for an extension of the 15% wage reduction as a show of support for the new owners.

Can we learn from past experience? I hope so. But that takes realizing we can't buy our jobs. No amount of givebacks or share-the-pain programs will ever give us long-term security. We should welcome our brothers and sisters from Transcon. The enemy isn't our fellow workers, but the greedy vultures who continue to pick our pockets while piously professing to be our friends. Solidarity and faith in the union are the only ways to ever regain the wages we are justly entitled to and have waited so long to get.

Southern Tankhaulers Organize To Build Unity and Area Contract

Chemical Leaman drivers in the Southern Conference are angry. It's been eight years since they've received a raise and conditions have dropped off to unbearable levels. With eight months to go before the contract expires, Chemical Leaman drivers are beginning to organize for a better contract.

Chemical Leaman

In a write-in campaign to President William McCarthy, the tankhaulers have let their feelings be known.

"On April 1, minimum wage went up to $3.85 an hour. In 1991 it will go up to $4.35 an hour. Our team drivers work for split wages of $4.91 in both years. We're not even close to wage parity with our East and West Coast brothers.

"We can no longer compare our wages and benefits with those offered by non-union companies. The older drivers are staying because of time invested in the pension and the younger drivers are leaving to take non-union jobs."

The letter being circulated and signed by the tanker drivers at Chemical Leaman is the first step toward building unity among the drivers, who often are pitted against each other with locals underbidding conditions to bring in more work.

"We're writing this letter out of concern for our welfare and our union. We can only exist through trust and unity. All we've done over the past eight years is lose. Now's the time to win."

John McClain, a driver in Local 988 out of Freeport, Texas, said, "We've been working with our BA and drivers all over the conference. The letter was an attempt to begin to build unity. We'd like it to spread. We need an areawide agreement with all the tank lines, just like it used to be. After all, this union was based on the power of area and national agreements. We're a lot stronger when we act together. Drivers for the other lines feel the same way."

Chemical Leaman drivers vow to continue building unity among all the Southern Conference tankhaulers. Getting the letter-writing campaign together and signed by others was a good start.

"What we really need is a get-together of stewards, BAs and rank and file folks—face to face to plan out what our contract strategy will be," McClain said. "The way people feel now, I think we'll get it together somehow."

Owner-Operator Solidarity

continued from page 6

letter detailing the hiring of non-union owner-operators, and they have acted swiftly. They are also being instructed to prepare for road driver nighttime city pickup and delivery service.

P.A.M., in which Central holds a controlling stock interest, is now on a daily run between Chicopee, Mass., Cheshire, Conn., and Brook Park, Ohio. It also runs daily out of Atlanta to Romulus, Mich.

Central's union owner-operators are scattered thoughout 28 locals. These locals are all aware of the actions taken by Central against the drivers, yet not one local official has taken any steps to confront these issues. And our negotiators are informed, but all we get is procrastination. In the meantime, more union jobs have been lost.

During the 1980s, Ronald Reagan made union busting a national pastime. Now, Central's management has jumped on the bandwagon forgetting the men who made their growth possible. But the 1990s have brought something new to us: owner-operator solidarity.

Yes, solidarity has arrived at Central Transport. By the time this article hits the streets we may know the results of the latest round of voting. But regardless of the outcome, we are still building our solidarity for the 1991 freight negotiations and we know our vote is our strength, now and in the future.

Transcon Lines

Legal Action by Pension Funds Forces Chapter 7

As a result of actions taken by several Teamster pension funds, Transcon Lines has been forced into Chapter 7 bankruptcy to protect payments to those funds as well as back payments owed to thousands of former employees.

The first of several legal actions began when a federal judge ordered a payment of $40,000 per day to the pension funds April 12, just days before the merger with PIE. Attorneys for the Central States Pension Fund contend that the transfer of Transcon's freight to PIE and the creation of OHA Inc, the company formed to control all of PIE's and Transcon's rolling stock, violated the court order. A 48-hour notice was also required before the sale of any of Transcon's assets. No such notice was given.

Transcon Lines had been purchased by Growth Finance Co. for the unbelievable sum of $12. In addition to purchasing the carrier, Growth also got stock in Transcon Lines and the right to receive more than $12 million in property and cash if Growth would take over payments on certain obligations owed by Transcon Lines. One of those obligations was to pay for the golden parachutes of five Transcon Lines officers.

While the financial maneuvering was going on, a change of operations ordered by the union dovetailed active Transcon and PIE employees, placing almost 2,000 employees in a transfer pool. Only about 50 of those employees were given the opportunity to move.

Thousands of Transcon employees who were screwed out of their final paychecks and benefits will now have to wait for the legal action to wind its way through bankruptcy court.

Send in the Clowns

An employee at the Miami, Fla., ANR Freight Systems terminal posted the following computer message to other closing terminals the day before operations were shut down in May:

ATTN: EVERYBODY

RE: ANNOUNCEMENT

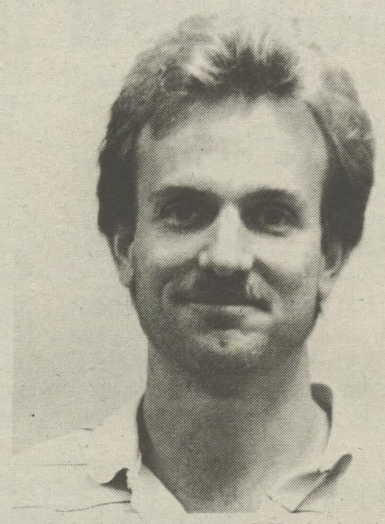
COASTAL CORPORATION ANNOUNCED TODAY THAT RINGLING BROTHERS, BARNUM AND BAILEY CIRCUS HAS AGREED TO PURCHASE COASTAL'S TRUCKING SUBSIDIARY, ANR FREIGHT SYSTEMS, INC. RINGLING'S SPOKESMAN, P.T. BARNUM, VERIFIED THE PURCHASE STATING: "WHILE WE ARE NOT REALLY INTERESTED IN ANR'S TERMINALS, ROLLING STOCK, NOR ACTUAL BUSINESS, WE WANT THE CLOWNS WHO RUN THE PLACE. ... CLOSING IN GOOD HUMOR. END.

Our Momentum Is Growi

These are exciting times in the New Teamsters union. More and more members are taking active roles within our union and are gaining confidence in their power to create beneficial changes. Every Teamster who discovers the satisfaction of pitching in to rebuild our union lights a fire in many other members. It's an understatement to say there's a light at the end of the tunnel—the tunnel is ablaze and the members are marching on! Whether it be to file a grievance or run for steward, to attend a union meeting or organize a rally, to help with a campaign or run for office, to write a letter or carry a sign—we are all part of a movement that's gaining mass and momentum, and cannot be stopped.

A Motion for Dialogue & Democracy

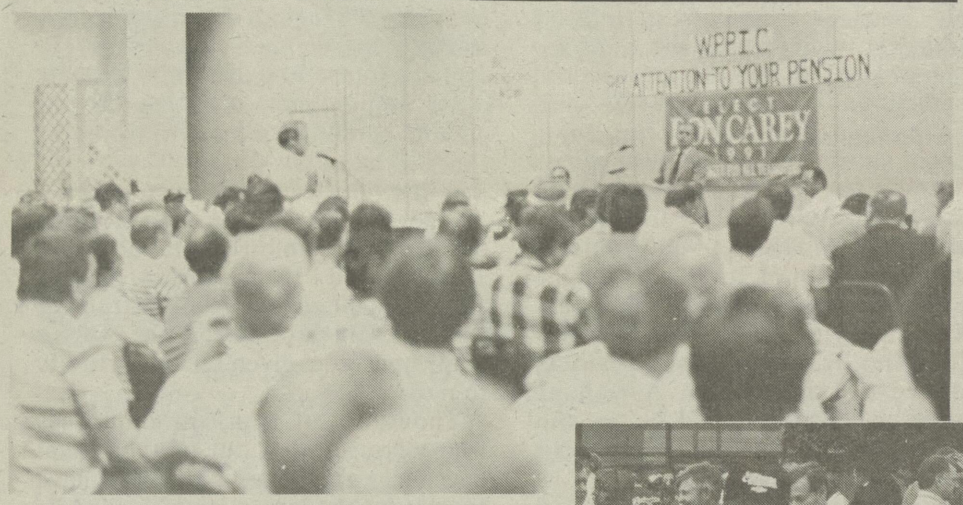
Members in Knoxville, Tenn., Local 519 adopted a motion in May to invite all candidates for General President to speak at their union hall during the election campaign.



Joe Mathews, a Mississippi Local 891 feeder driver, was elected steward June 11 at the Jackson UPS hub, the state's largest. The election was especially significant because members at the hub petitioned the local for the election after having lost a bylaws vote in March to provide for elected stewards throughout the local.

"Now we're in a position to win the bylaws change for everybody next year," Joe said. "But right now we're building our solidarity in preparation for a UPS contract proposal. We're concerned about how good that offer will be because management is even now trying to tear down seniority rights. They posted start times for our June bids that are all separate and which differ only by as much as 30 seconds. We expect a rebid, but in the meantime we're working under a situation that they can use to make bumping rights meaningless. We're keeping a close eye on this."

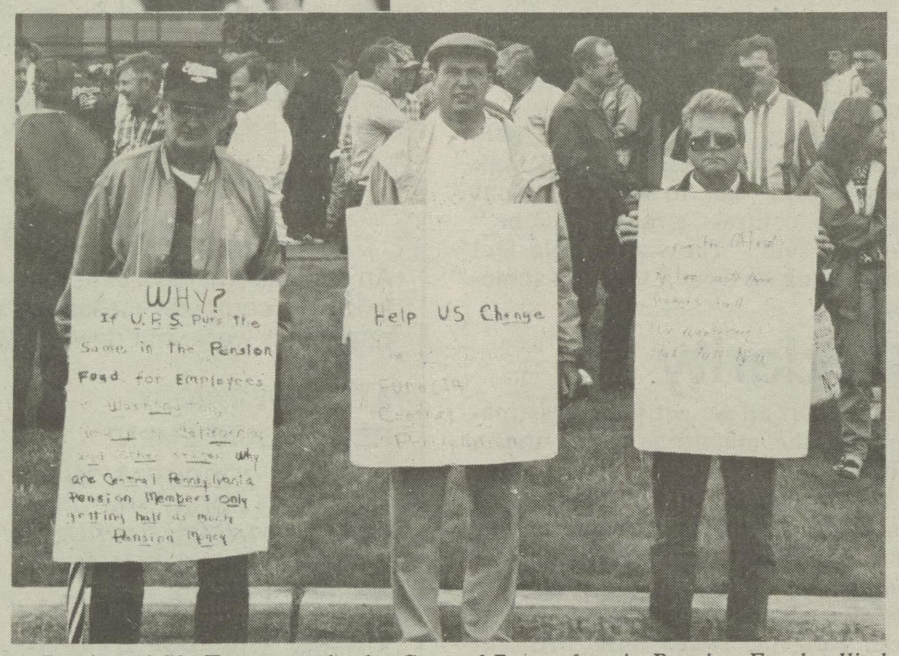
Pension Reform



More than 400 Teamsters, retirees and family members attended a rally for better pensions near Pittsburgh June 2. Most of the Teamsters are in the Western Pennsylvania Pension Fund, which covers about 12,500 members in Joint Council 40. The Western Pennsylvania Pension Improvement Committee (WPPIC), which sponsored the rally, is calling for increases in the plan's pensions, along with full survivor benefits and COLA on pensions.

Ron Carey, candidate for IBT General President, addressed the rally and was presented with a T-shirt emblazoned with "Endorsed by WPPIC."

Carey told the rally, "I don't see why any Teamster pension fund would want to be fully funded. ... When our (the Local 804) fund's investments did better than predicted, all that extra money went directly into benefit increases."



Rank and file Teamsters in the Central Pennsylvania Pension Fund rallied for better benefits outside the Local 429 hall, near Reading, May 5.

UPS Contract Campaign

Vince Meredith hands a TDU contract bulletin to a Teamster sister at the Louisville UPS air hub (story, p. 11).

wing for '91

Carey Campaign

The Carey campaign swung into Nashville in April. Two meetings were held and Ron visited Teamsters at their workplaces. Members of locals 327 and 480 helped organize the event (l. to r.): Gerald Gieg, George Beam, David Bowden, Bob Majors, Ron Carey and Terry Lovan.

The TDU International Steering Committee and some 40 other TDU activists gathered in Detroit in May for a two-day strategy session to plan for the upcoming delegate and International elections.

Georgia Victory

continued from page 1

Saturday after the slate took office we got a bunch of the members together to help clean the hall, rearrange offices and take inventory. It might seem like a small thing, but you wouldn't have seen that happen under the old administration. We finally got the opportunity to do something for our union. I can't wait to get involved when we really get going."

After three years of fighting for a rerun election, campaigning all over the state, raising funds and building unity, the victory has been sweet for Georgia Teamsters. The victory has been even sweeter for those who have been involved in the movement for a stronger and more democratic union for years. Bob Beasley, one of the first TDU members in Georgia and a supporter of the TFD slate recalled the early days:

"When we started organizing in 1983 we were working just to get a little better representation at work. Of course, we hoped that this would snowball, but we basically took it step by step. This victory is terrific, the best thing that could have happened here. We needed change. Anyone who stays in office too long can get stale, can forget about why they got in there in the first place. Now we've got folks with new ideas and the support of the membership to build this local. We need the members' support now. You know, it'll take a little time for the new officers to get their feet wet, but we're already moving in the right direction."

The packed union hall was an indication that the membership senses and is more than ready for a new direction for Local 728: pride in the union, participation by the members, and the rank and file in the drivers seat. It's true that the Weldon Mathis Labor Complex wasn't designed with the membership in mind. Its builders couldn't conceive of a time when the rank and file could call the union hall their own. The new builders of Local 728, members and officers alike, will be happy to pack people in the hall like sardines until other arrangements can be made. That's a problem that the new executive board is more than happy to deal with.

"The great thing is that people feel like they're part of the local again. When they walk into the hall they feel like they're among friends. On the Saturday after the slate took office we got a bunch of the members together to help clean the hall, rearrange offices and take inventory. It might seem like a small thing, but you wouldn't have seen that happen under the old administration. We finally got the opportunity to do something for our union. I can't wait to get involved when we really get going."

—Local 728 member John Wayne Garrett

Diary of Georgia Victory

Summer 1984: TDU chapter formed in Atlanta.

Winter 1984: Chapter wins big victory at National Labor Relations Board when board rules that McLean Trucking had discriminatorily fired and disciplined workers for their TDU activity.

Spring 1985: TDU chapter introduces bylaw change for elected stewards. Weldon Mathis, after losing the vote, rules the union meeting closed and the motion out of order.

Fall 1985: Atlanta becomes second largest TDU chapter in the country within one year.

March 1986: TDU candidates run for delegates to the 1986 IBT Convention. Candidates lose but file protests on the election claiming it was stolen. Department of Labor (DOL) doesn't investigate, saying the Atlanta delegate election wouldn't change the votes at the IBT Convention.

October 1986: TDU Rank & File Convention held in Atlanta.

October 1987: Teamsters for Democracy slate formed and challenge in local elections. Weldon Mathis wins election but TFD again protests election with the DOL for election fraud.

June 1988: Weldon Mathis resigns as president of Local 728. He also splits the local in two and appoints his son Lamar as trustee of the new Local 928 which represents UPSers throughout the state of Georgia. Jerry King appointed president of Local 728.

November 1988: TDU Rank & File Convention again held in Atlanta.

December 1988: DOL files suit to rerun the 1987 election, citing vote fraud.

November 1989: DOL orders locals 728 and 928 to reunite and stops Lamar Mathis from holding his own election in 928.

March 1990: Locals 728 and 928 agree to a rerun election supervised by the DOL. Five slates of candidates, including TFD, Lamar Mathis and Jerry King, vie for the officers' spots.

May 18, 1990: The Teamsters for Democracy slate sweeps all seven positions in the election for Local 728 officers.

June 1, 1990: New officers installed.

UPS CONTRACT CAMPAIGN—1990

McCarthy Announces First Offer Coming Soon

UPS Teamsters: Take a Careful Look at Contract

IBT President William McCarthy on June 19 sent all locals a message that negotiations with UPS were "concluded" and a proposed tentative agreement had been reached. Then hours later he issued a "correction," saying negotiations were still continuing. How this mysterious agreement got unsettled was not explained, but the episode says something about how negotiations are being handled.

UPS Teamsters may have a first offer to discuss, debate and vote on as soon as the first of July. A meeting of officers from all locals is set for June 26, with local union meetings likely to follow thereafter to discuss the proposed tentative agreement.

The UPS Committee of TDU will be evaluating the agreement carefully, including all supplements and riders. Legal action is being prepared now to ensure that every single facet of that agreement is made available, so UPSers will have a fully informed vote.

All UPS Teamsters are urged to take a careful look at the first offer before they vote. Consider that this may be the best chance we ever have to improve this contract.

We have won majority rule. We have safeguarded our right to vote on it. UPS is desperate to get a contract approved and to avoid even a short strike. Therefore, our threat of a rejection is powerful. We can send back an inadequate first offer and make our own future brighter.

Most important, the movement for a good contract has grown farther and deeper than before—by a big margin. UPS Teamsters are better informed than ever and more willing to use our voting power.

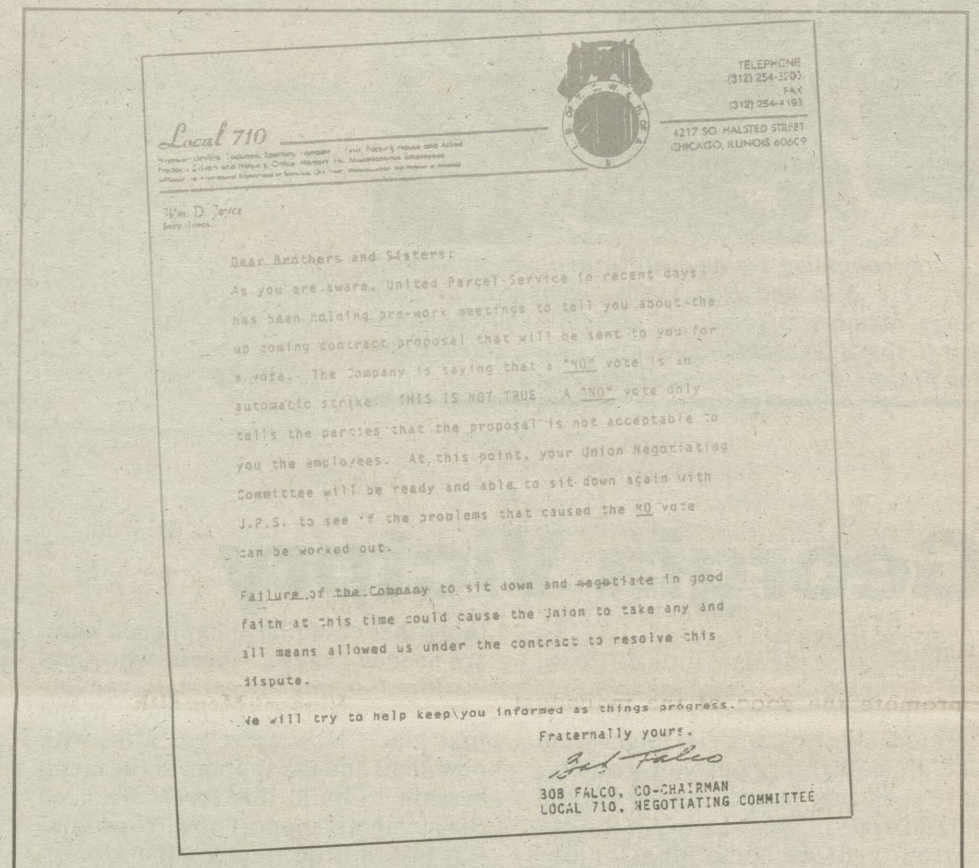
A new pension movement has sprung up among UPS Teamsters. In many areas, the majority of Teamsters are already pledged to vote No unless major pension improvements are specified in writing in advance. In the big Central States Pension Fund, top officials have promised this will be the case in this agreement. Any attempt to renege on that promise will very likely lead to a big rejection.

Study the first offer. Talk to fellow workers. Read the TDU contract bulletins coming out. Attend the union meeting that will be called to debate the contract proposal. If our top IBT negotiators cannot even figure out if the bargaining is over or not, we must prepare to make history, by sending them back to the table with a clear message from the 140,000 Teamsters who move the packages. Part-time—full-time SOLIDARITY!

'UPS Could Not Work Through a Strike'

Donaldson, Lufkin & Jenrette, a New York securities corporation, published March 22 a nine-page research bulletin on UPS covering such topics as pricing, services, technology, International expansion, and labor relations. The following excerpt is revealing regarding negotiations, and another indication that given our rejection of an inferior contract proposal(s), UPS would prefer to go back to the bargaining table.

"UPS could not work through a strike (that is our supposition; we stayed away from discussing bargaining tactics in our conversation). While most of its customers would have to come back after a work stoppage (the competitors would not have anywhere near enough capacity to accommodate all of UPS's business), the company faces enough competition today that a strike would make it more vulnerable than it has been in decades to irreparable harm."



Local 710

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Wm. D. Joyce
Secy.-Treas.

Dear Brothers and Sisters:

As you are aware, United Parcel Service in recent days has been holding pre-work meetings to tell you about the up coming contract proposal that will be sent to you for a vote. The Company is saying that a "NO" vote is an automatic strike. THIS IS NOT TRUE. A "NO" vote only tells the parties that the proposal is not acceptable to you the employees. At this point, your Union Negotiating Committee will be ready and able to sit down again with U.P.S. to see if the problems that caused the NO vote can be worked out.

Failure of the Company to sit down and negotiate in good faith at this time could cause the Union to take any and all means allowed us under the contract to resolve this dispute.

We will try to help keep you informed as things progress.

Fraternally yours,

308 FALCO, CO-CHAIRMAN
LOCAL 710, NEGOTIATING COMMITTEE

A NO Vote Sends Them Back for More

This letter from Local 710, with some 4,000 UPS Teamsters, explains that a Vote No does not necessarily cause a strike. "A 'NO' vote only tells the parties that the proposal is not acceptable to you the employees. At this point, your Union Negotiating Committee will be ready and able to sit down again with UPS to see if the problems that caused the NO vote can be worked out."

UPS & Downs

OSHA Charges UPS With 312 Violations, Proposes Big Fines.

OSHA has proposed fines of $624,980 against UPS for violations at its Uniondale, N.Y., facility. The 112-page complaint cited UPS for 312 violations of improperly recording employees on restricted work duty, failing to provide a proper emergency response plan and to train employees for hazardous waste emergencies, failing to supply a respirator to employees who handle hazardous materials, failing to keep a required annual log, and falsely certifying the annual summary. OSHA categorized the violations as willful and called the charges on emergency response and hazardous materials serious violations that could result in physical harm or death.

Barlow Addresses Multi-Tier Wage Scale.

Part-timers in Dayton, Ohio, Local 957, wrote the union's chief negotiator about changing the unjust multi-tier wage scale in the contract. Al Barlow, IBT director of the Parcel and Small Package Trade Division, wrote back: "I want you to know that both the General President and I are well aware of the part-timer situation and wil! addresss their problems in the upcoming negotiations. We are also aware of the multi-tier wage scale and assure you that this will also be addressed in negotiations."

Mutinous Against the Bountiful.

UPSers at the Hartford, Conn., hub on May 23 published a letter in the *Hartford Courant,* in response to an article in the paper, stating, in part: "UPS keeps up tremendous production rates by enforcing a regimented and degrading work routine. ... Thirty cents an hour each year for the past three years was not even enough to cover the increase in the standard of living. For many of us who are making the 'tightest ship in the shipping business' click, mutinous would not be an exaggerated term for our feelings."

Local 710 UPSers Fight Pension Change

Chicago Local 710 represents a large territory of UPSers outside of the Chicago area: most of Indiana, except Indianapolis Local 135, all of Illinois, and Davenport, Iowa. Locals in these areas are trying to gain jurisdiction over UPSers, who are justifiably concerned that such a change would bring with it an involuntary transfer out of the Local 710 Pension Plan and into the Central States Pension Fund.

A hearing was held last spring in Chicago, but members have not received word of a decision. The IBT Constitution gives the General Executive Board the authority to transfer members from one local to another. While there could be advantages to having the local union nearby, members are concerned about how representation would fare, especially during the transition into locals with no experience at UPS.

But the major concern is the pension. Local 710's plan has a 25-and-out benefit of $1,500 and 30-and-out at $2,000 per month. Central States does not have a 25-and-out benefit and its 30-and-out only pays $1,000.

Rank and file Teamsters have organized a Save Our Benefits committee, which is researching legal options should a decision be made to transfer the UPSers out of the Local 710 fund. "We just want to make sure members get what they justly have coming to them," said committee organizer Dick Lomont of Ft. Wayne, Ind.

To back up any required legal action, the committee is encouraging Local 710 UPSers to set up non-interest bearing accounts in each center. If the money is not needed, it will be returned. More than $20,000 has been collected in at least 15 centers so far.

"If our retirement is moved, it is imperative that we can react immediataely to the change. To do this we must be organized together to react as one, not each center fighting their own little battle," states a flyer from the committee. The Save Our Benefits committee may be contacted at (219) 447-2483.

Colorado Local 17

How a Local and Its Members Got Rid of Incentives

Incentive-bonus plans have long been a thorn in the sides of UPSers. They sow disunity, encourage speedup and production harassment, and cause drivers to cut corners in disregard of safe work practices.

When elected BA Mike Simeone assumed office in Colorado Local 17, he found that his predecessor had agreed to a bonus plan at the UPS Glenwood Springs Center. At the urging of his stewards he began to look into how to remove the plan once instituted.

Article 19, Section 11 of the Central Conference Supplement states that no new incentive plans may be implemented unless approved by the affected members and the union. It also provides that existing plans may be terminated if a majority of the drivers in a center write grievances (individually, not by group) and it is approved by the Joint Area Committee.

Through the efforts of the stewards' network, 22 out of the 26 drivers wrote grievances demanding an end to the bonus system. They were immediately submitted to management and Simeone followed them up with a letter warning management that one-on-one meetings with the grieving workers in the absence of union representation would constitute a violation of JAC procedure and that if the grievances were withdrawn as a result of illegal one-on-one meetings, Local 17 would consider the withdrawals null and void.

Nonetheless, management immediately embarked on a widespread program of one-on-ones, meeting the drivers on the road where they were without the opportunity to consult with their union reps. As a result of this pressure, 21 of the 22 eventually withdrew their grievances.

Local 17 filed unfair labor practice charges with the NLRB. Ruling in the union's favor, the board forced UPS to post a notice for 60 days acknowledging that the company had violated the law and promising not to continue the violations. The local posted a letter notifying everyone concerned that since these grievance withdrawals had been illegally obtained, the grievances would remain in effect.

At this point the BA held a meeting with the affected employees. He explained the issues. He then alerted them to their legal and contractural rights and offered to leave the room as they decided whether to pursue their grievances or withdraw them. The 21 workers involved informed him they were ready to let their grievances stay in effect.

The grievances were taken to the JAC where, having constituted a majority of the affected workers, the incentive-bonus plan was ruled null and void. Presto! It can be done—with solidarity among drivers and a local leadership acting decisively in the interest of the membership rather than courting the affections of UPS management.

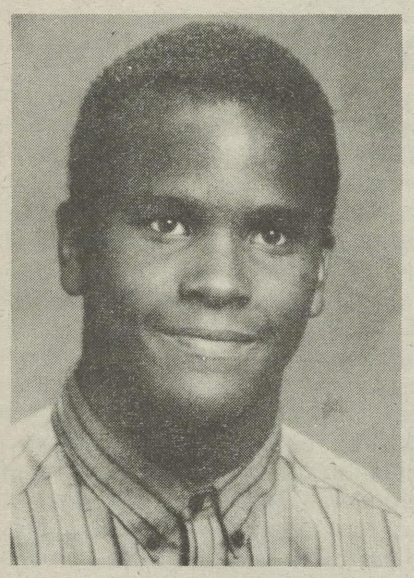
Legal Victory Opens Door to Challenge Joint Panel Bias

The 7th U.S. Circuit Court of Appeals in November ruled in *Thomas vs. UPS* that officers on Teamster joint grievance committees owe rank and file Teamsters a duty of fair representation when deciding grievances. For years the IBT has argued in court cases that the panel members are like arbitrators and their decisions and decision-making processes are not subject to scrutiny or challenge. The court ruled that panel members have to be held to the same standard as arbitrators. Panel members must decide each case impartially and fairly, and may not rely on irrelevant or prejudicial information in deciding a case.

The court also held that the union agent presenting the case for the member "has but one loyalty—to promote the good of the individual member." This includes obtaining materials needed for a fair hearing, "putting forward the strongest arguments one could reasonably make on the grievant's behalf" and, when needed, an investigation of the facts.

The statistical evidence gathered by the plaintiff and his lawyers in the case showed that the panel granted grievances of non-dissidents 32.8% of the time, but only 15% of those filed by so-called dissidents. Also, the business agent and members of the union side of the panel had openly participated in demonstrating against TDU at the 1984 TDU Convention in Chicago, and the union rep had signed petitions against TDU's campaign for elected stewards in Local 710.

Although Thomas won in the appeals court, the case is far from over. The case will soon proceed to trial before a Chicago jury on the issues of whether Thomas was unlawfully discharged and sold out by his union rep and panel members due to his TDU activities. The UPS supervisor who initially set him up for discharge is no longer employed by UPS and is expected to testify for Thomas. The case shows that with persistence, rank and file members who join together and continue to battle the bias of the joint committee can prevail. Thomas' lawyers include Richard Tupper, Paul Levy and Robin Potter.



Craig Williams
Local 70 part-time steward
Oakland, Calif.

Many employees are cheated out of bonuses every year because they quit before peak season. UPS keeps the bonus money of each employee who quits or is fired before the holiday season. The company pays no interest and then acts as though it's doing us a favor by giving it back to us. We ought to Dump the Lump and increase the hourly wage accordingly.

Louisville UPSers Conduct Major Distribution Of Contract Bulletins to Part-Timers at Air Hub

Vincent Meredith
Local 89 steward
Louisville, Ky.

Ten UPS full-time ground employees from the Ashbottom and Bluegrass centers passed out 2,500 copies of the TDU UPS Contract Bulletin #2 on April 28 to Next Day Air part-time employees as they came to work from 2 a.m. to 4 a.m. We were passing out this literature because of the many phone calls I have had from part-time air employees concerning the stories or lies supervisors have been telling them, and to assure the part-timers we are with them 100%.

Following is just a partial list of management's propaganda:

1. We aren't making any money; in fact, we are losing money and even had to borrow millions; 2. We are only going to make one offer and if you don't accept it, you will be on strike; 3. If you go on strike most of you will lose your jobs because it will take months to get the business back; 4. If you don't accept the first offer, we will move the air operations to California.

The part-timers were very eager to get the bulletins and some of them had time to stop and talk with us. They were very disappointed and angry that their union was doing nothing to counteract the lies being spread by management. I even talked to several UPS pilots, and they were eager to get the bulletins and said they would spread them around at other air hubs. Several pilots told me that UPS was the worst place they had ever worked, and all the pilots I talked to were very dissatisfied.

We told the part-time air employees that they can be assured we will be back with more information as we receive it. We told them that we all have one vote and we have to work together to win a good contract. We are proud of the fact that in 1987, the members of Local 89 rejected that concessionary contract by 76.2%. It just shows what hard work and solidarity can accomplish.

About an hour after the part-time air employees went to work, UPS management put out a hurried bulletin and a supervisor read it to two or more employees at a time. The memo said, "The information that was being passed out outside the UPS entrance was not authorized by Local 89."

I don't suppose it was authorized by Local 89 because I can't remember asking Local 89 for their permission, which I don't need because my right to distribute bulletins is guaranteed by federal law. If Local 89 officials were keeping the members informed and disputing the rumors and lies being told by management, then we would not have to go to UPS on our weekend to do the work that our union officials should be doing.

So I say to all part-time employees, you are our union brothers and sisters, and we will all work together to win a contract that we can live with and be proud of. The bargaining committee can deliver us a contract, but we are the ones who have the votes to accept or reject it.

Let's use our vote wisely until we get the contract we deserve.

SOLIDARITY IN ACTION. Louisville full-timers distributed 2,500 TDU contract bulletins to part-timers at the air hub.

GROCERY, LOCAL CONTRACT NEWS

Seattle Teamsters at A.G. on Strike

Some 750 truck drivers and warehouse workers in Seattle locals 117 and 174 struck Associated Grocers May 22 after rejecting the company's final offer by a vote of 411 to 63. Negotiations resumed June 12 with a six-hour session.

The vote totals reflected a 239 to 56 rejection by the warehouse workers in Local 117, and a 172 to 7 rejection by the truck drivers in Local 174. Arnie Weinmeister—Local 117 secretary-treasurer, Western Conference director and International VP—recommended that the rank and file accept the proposed agreement, as did the entire negotiating committee. Don Benson, A.G. president, in a memo to the employees after the strike began, referred to the rejected offer as "what both the company and the union felt was a fair and equitable agreement."

The "equitable agreement" Benson referred to included these provisions:

- Eliminate New Year's Day as a paid holiday, and only pay straight time for work on New Year's Day, Washington's Birthday, Memorial Day, Independence Day and Labor Day.
- Unlimited overtime, with no observation of seniority rights.
- Increase the pension contribution 12 cents per hour the first year, nothing thereafter.
- An 11% wage increase over a four-year contract (there has been no wage increase at A.G. for five years).
- A six-month probation for new hires, with no protection against suspension or discharge.
- A "break-in" wage rate of 70%-80%-90% the first three years of employment, and no provision for 100% wage rate after three years.
- Maintain inferior language and wages for clericals.

Rank and file grocery Teamsters in the Seattle-Tacoma area met months before the contract came up to discuss what they wanted the union to negotiate for them. Their demands included a 20% wage increase over three years with a real cost-of-living adjustment; no part-timers or casuals; add Martin Luther King Day and Veterans Day holidays; triple time on any holidays worked; Monday through Friday workweek with eight-hour days, and equitable language in the contract for clericals.

Contracts at Safeway and West Coast Grocers expired at the end of April, but local officials have suspended negotiations with those companies pending the outcome at A.G. Many Safeway and West Coast workers have joined the A.G. strikers on the picket lines.

In the *A.G. Grocery Bag*, a rank-and-file strike newsletter, Jim Ferguson, a Local 599 steward from West Coast Grocers in Tacoma, said, "Our membership at West Coast down here in Tacoma supports your efforts in Seattle, because we realize the importance of solidarity in getting the best possible contract for all of us. We do not want A.G.'s business during the strike. It would be cutting our own throats to do A.G.'s work. During regular times, we would be competitors, but now we should be unified in solidarity."

"Our members from separate departments in the warehouse have had several meetings to keep communication lines open and rumors down," an A.G. warehouse worker in Local 117 told *Convoy Dispatch*. "We've met with rank and file Teamsters at West Coast Grocers several times to keep everybody informed and involved. We've also, for the first time, convinced our union to let 10 rank and file members sit in on the negotiations—they can't talk at the table, but they can let all of us know what's going on." The member added that Local 117 members are meeting Local 174 members for the first time, and exchanging ideas, solidarity and communication.

The strikers have formed a picket committee, and a leafletting committee to hit stores that buy from A.G. They've been successful in turning some customers back, especially Machinists union members at Boeing Co., who were on strike for six months last year.

Pickets have been successful in getting union carriers to respect their picket lines. Drivers are dropping their loads outside A.G.'s gates. But the scab outfits, such as J.B. Hunt (pictured), are a problem, underlining the necessity of a serious organizing drive in the freight industry.

Hispanic Teamsters Organize For Equal Representation

Linda Mendez
Fort Morgan, Colo.

The Teamster workforce at Excel, a slaughterhouse and meatpacking plant in Fort Morgan, Colo., is predominantly Hispanic. Union members believe our business agent, Joe Martin, is not fairly representing all the members at Excel. On several occasions he has said, "When you learn English, I can help you!"

At least 75% of the union members are non-English speaking. So if Martin can't help them, he is getting paid to do nothing. Since January we have been attempting to get a bilingual agent hired. But our representation problems go higher than Martin. When we requested interpreters at our Local 961 general membership meetings, the president told us, "We have never had an interpreter and we are not going to start now!"

Meanwhile, conditions were getting worse at the plant. If you were Hispanic and got injured at work, you were usually fired. If put on light duty, you were told there wasn't any work. If you were sick and Hispanic, nine times out of 10 you were written up. If you got sick at work, you were expected to work, not go home or to the doctor. Fourteen people were written up, all Hispanic; four Anglos were not. While all this harassment was going on, Martin said he wasn't going to tell the company how to run its business!

We've continued to organize for our rights. When there was a vote on our local's bylaws, the ballots had the sections of the bylaws printed in English and only the boxes on whether to accept or reject in Spanish. But in 1984 when the company made a move to open the shop, ballots were printed in five or six languages. It was to the union's advantage on that election to make sure the members could read them. Not so with the bylaws vote.

We have filed charges with Joint Council 3 on the bilingual issue. Although we have not received a formal response or date of hearing, we will not go away. We have contacted a lawyer and will take this issue to court if necessary.

Local 961 Meatpacking

We've also won some recent grievances, which would have been unheard of a year ago. Rosa Godino fought back and after a five-month struggle had a verbally and physically abusive foreman transferred, despite Martin's opposition.

In another case, a non-English speaking worker, Francisco Leyva, was given a choice between keeping his job or working in a cooler with pneumonia and was not allowed union representation when he met with management. Through rank and file solidarity, and going over Martin's head to our local secretary-treasurer, we finally won the representation this union brother deserved. He got back pay and a transfer to a job that did not endanger his health.

As these small victories accumulate, the rank and file are getting ready for the struggles ahead. Nearly 300 members have signed forms to make sure the union has their correct address so they will receive ballots for local elections this fall. Interest in union activity and legal rights at the workplace is mushrooming. If local leaders want to hold onto their jobs, they are going to have to start doing them, even for non-English speaking members.

Key Foods Workers Win Arbitration

Ed Santarelli
Local 138 steward, Key Foods
Brooklyn, N.Y.

After successfully negotiating a decent three-year contract with Key Foods at its Brooklyn grocery warehouse, management attempted to back-door its employees by instituting progressive discipline in the form of three-day suspensions. Members of Local 138 and its negotiating committee were victorious in beating this company proposal, and Key Foods withdrew it from the table.

Then, before the contract ink was dry, Key Foods suspended two union members for three days without pay for "poor attendance." Most members rallied around this issue and successfully boycotted the firm's inventory that was scheduled for that weekend. The Local 138 executive board filed immediately for arbitration of this matter. Key Foods, meanwhile, ignored the outcry from its employees and suspended two more members.

The final blow was dealt to Key Foods at arbitration. It was ruled that management clearly violated the contract and was ordered to cease all suspensions and award all back pay. No doubt, in the future Key Foods will be up to something else. We hope this shows the company that we are willing to stick together and stand up for our dignity. Hats off to all who helped win this one. We hope the "fence sitters" learned from us and join in next time.

Child Labor in the Grocery Industry

The U.S. Department of Labor has assessed fines of more than $377,000 against 285 supermarkets and retail grocery stores for violating child labor laws, according to *Supermarket News*. These fines were part of a federal crackdown in March that uncovered more than 14,000 child labor violations across the United States.

The majority of the more than $4.5 million in fines assessed in the crackdown were against fast food chains and restaurants, but the third largest number of violations were in grocery stores. Food City, of Houston, received the highest penalties of any company, $49,000. Apparently, this is how some grocery companies have been dealing with the "labor shortage" management complains about.

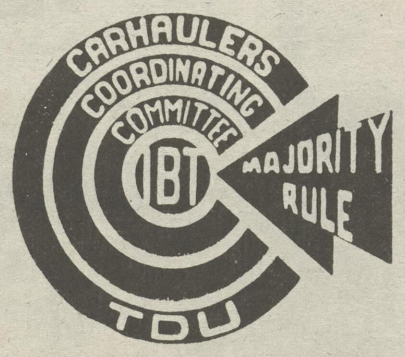
VMT Introducing Casuals in Carhaul?

Carhaulers beware! A new threat to our contract and job security has started. VMT, a leasing company that was previously used to double breast Dixie Auto Transport Co., is at it again, only this time it will be harder to spot.

VMT is hiring drivers to lease to other companies to drive that company's equipment. This introduces the casual or part-time driver into carhaul. These drivers will be hauling work from companies that are signatory to the contract for the substandard wage of 32 cents a mile plus $3 per unit to load and unload. The hourly rate for breakdowns and other delays is $10. Insurance by a private carrier will be started after six months employment, as will a company-owned pension plan. Neither Local 327 nor the IBT has agreed to this, but that doesn't seem to bother VMT management.

VMT is not signatory to the National Master Automobile Transporters Agreement, but signed a contract with Teamsters Local 327 in Nashville for the Coltrans-VMT drivers, enabling them to backhaul from terminals in closed-shop states. Depending on the mileage driven, these drivers get from 21 cents to 31 cents per mile. With this new deal, the double breaster is double breasting itself, but is not allowing the Coltrans-VMT drivers to work at the new higher substandard rate.

Allied Systems is the first customer, and VMT is saying that E&L is also making arrangements to lease drivers from them. The first loads with these lease drivers are to be pulled from Allied Systems' Atlanta terminal. The next stop is Norfolk, Va., and then the drivers are to pull loads from Ayer, Mass. Also on the drawing board are loads from Kansas City, Mo., and Houston.



VMT appears to be taking on the union head first, starting with Jerry Cook's Local 528 in Atlanta and going to Teamster President William McCarthy's and carhaul co-chair Ernie Tusino's front door in the Boston area.

VMT told the drivers that Tusino and Local 327 had agreed to this, but when questioned we discovered the local had been misled into thinking they were using Coltrans trucks and that Tusino knew nothing about it. It gives some idea of what it would be like to work under a *Let's make the rules as we go* agreement with nothing in writing.

The initial startup of the operation was to be June 12, but that was stopped by the local union at the airport. VMT had bought tickets on Eastern Airlines for the trip to Atlanta, which seems appropriate for a company that is trying to bust a union, and the drivers decided that it was not in their best interest to undercut the union. This shows how far companies are prepared to go to evade our contract. But thanks to quick communication from members in Nashville, Atlanta and Massachusetts, the scheme was on hold at press time.

CCI Owner-Operators Jump Hurdle in Chicago Lawsuit

CCI owner-operators have defeated a major legal move by Ryder Systems to keep them from recovering money stolen through the years under a number of scams. This follows years of battles against illegal deductions from their truck checks.

A Chicago federal court judge May 25 ruled against CCI's motion to dismiss a lawsuit filed in late 1989 by drivers from Chicago, Memphis, Tenn., and Birmingham, Ala. The class-action suit challenges the company's deductions of ancillary charges, in violation of their lease agreements. Under the leases, the owner-operators are entitled to 65% of CCI's gross revenues billed to the shipper minus certain charges.

The drivers contended CCI paid them less than base rates by deducting the ancillaries from the gross billings before applying the 65% factor, and also that the leases did not permit a deduction for any ancillary charges at all. CCI claimed the drivers could not sue for violations of the lease because the issue had to be resolved under the carhaul agreement and the IBT grievance procedure. CCI argued that since the carhaul agreement defines gross revenue, the drivers were stuck with pursuing their claims only through the grievance machinery, which has failed many opportunities to address this question.

The court ruled against CCI and held that the dispute involved moneys due the drivers under the lease and not under the labor agreement. It ruled that the labor agreement only sets a minimum rate, but that more was due the drivers under the lease. The court said that the claim for money damages on behalf of all 150 drivers could proceed as a breach of contract action.

This legal battle is far from over, and Ryder has made clear it has not given up on long-term plans to use a substandard owner-operator lease as a lever against our contract. The tenacity of the CCI owner-operators in this case should be an inspiration to others seeking to protect our contract.

Meanwhile in Northern California, Ryder continues to probe for weak spots to introduce substandard truck leases that will later be used to undercut drivers' pay and the union contract.

Any CCI owner-operator seeking more information on the lawsuit should contact TDU attorney Robin Potter at (312) 341-1810.

TDU Rank & File Convention
Oct. 26-28, Detroit

Carhaul News

Grievance Win for CCI Clericals Shows Need for Reform.

We previously reported on an arbitrator's award of $1.4 million to CCI clerical workers in Detroit whose jobs were shifted to non-union facilities. CCI defied the arbitrator's order to pay up. When Local 299 struck to enforce the order, CCI went to court for a temporary restraining order (TRO). Although the judge granted the TRO, he indicated it looked to him as though CCI were simply trying to avoid payment. CCI had mistreated the affected clerical workers since 1988. The judge has promised a quick decision on the matter.

Under this contract more cases have been taken to arbitration after a deadlock at the national level. But we advocate the union's right to choose strike or arbitration after a national deadlock, as the freight contract allows. Some of our top negotiators have adopted this idea.

Previous higher court decisions have stated that the grievance procedure is still underway even after an arbitrators' final and binding decision if that decision has been challenged in court. (So that the "no strike" clause of the contract remains in effect.) Companies will not be able to get injunctions if the clear right to strike after a national level deadlock is written into our contract.

During this contract, CCI employees in Seattle and Memphis, Tenn., were clearly paid contrary to the contract, an offense that allows immediate strike action by a local union. In both those cases, brief but decisive action at the local level produced immediate contract compliance by Ryder. We need to broaden the union's ability to take strike action. If we have the right to strike, we won't have to use it often to make it work.

Grievance Chairman Meets Drivers.

Nashville Local 327 has seven carhaul companies working within its jurisdiction. For some months, two representatives from each company have been meeting to promote unity and effective action. They have worked to support owner-operators at Florida Convoy (formerly Dixie) and to deal with the opening of the new GM Saturn plant in Spring Hill, Tenn. The committee had a meeting with Ernie Tusino, national carhaul chairman, prior to the recent Southern Conference grievance meeting in Atlanta. Committee members reported that the meeting was extensive, concrete and useful. Contract proposals were discussed, along with problems in the Nashville area.

We hope there will be such committees of elected representatives in more locals and more meetings with our top negotiators. Two special meetings seem urgent with representatives from driveaway and our carhaul owner-operators, who face special problems that must be addressed not just in the next contract, but now.

Ryder's Latest Challenge.

The company says that short haul traffic out of the GM Saturn plant has been "awarded" to its non-Teamster division, QAT. This is a rent-a-driver operation out of Cleveland, Ohio, and represented by Production Workers Local 707 of Chicago. This so-called union is not affiliated with anyone but some criminal elements and parasites.

GM wants to set up backhaul agreements with seven plant locations—Arlington, Texas, Tarrytown, N.Y., Oklahoma City, Baltimore, Wilmington, Del., Fairfax, Mo., and Detroit. Such backhaul agreements will only promote non-union penetration of our industry. This cannot be left to the decision of one local. A committee of all affected locals, including elected rank and file representatives, should be called and a policy set that no cut rates will be hauled out of Spring Hill.

Local 299 business agent J.D. Jackson reported at the June 4 carhaul meeting that Ron Borges of Ryder Systems openly stated all new terminals will be non-Teamster. Ryder has warned us. It's time to close this barn door before more horses get out. We can't leave the job to a few officials.

HISTORY OF TDU

TDU: Winning the Fight for Democracy

For 14 years TDU has been fighting to make the Teamsters union a more democratic organization committed to better representing its members. This is the third in a series of three articles on the history of TDU, where our movement came from, the defeats it experienced, and the victories it has won.

The defeat of Teamster President Jackie Presser's freight "relief rider" in September 1983 by the huge majority of 94,086 to 13,082 was an indication that the International's leadership was losing its grip, that the rank and file were fighting back against concessions, and that change was coming to the Teamsters.

TDU won another victory in 1984 when TDU leader Linda Gregg was elected secretary-treasurer of Denver Local 435, which represented some 4,000 grocery and UPS workers. It was not a complete victory, since Gregg and her supporters had only three of the seven seats on the executive board, but still Gregg was able to win back some of the concessions made by her predecessors. TDU leaders won in other locals as well.

TDU also organized against concessions at the national level. In August 1984, TDU participated in a rank and file rally in Cleveland, which featured local officers as speakers and was aimed at combating concessionary bargaining. It was to be the first in a series of such events.

But then Presser pulled a fast one by secretly negotiating a contract with UPS and calling a quickie vote. Presser's contract proposed a lump-sum bonus rather than a more valuable increase in base pay, and Presser promoted his poor contract with a slick advertising mailer showing a hand grasping a fist full of dollars.

Caught by surprise TDU and other opponents of the contract had no time to organize, and Presser won. However, TDU brought and won a suit, *Bauman vs. Presser*, which prohibited such quickie votes. TDU also won a settlement protecting the right of casual workers to vote on the contract. Presser succeeded in selling his contract to the UPS workers, but TDU had protected the UPS workers' right to make an informed and democratic choice in the future.

There was widespread opposition to the proposed 1985 freight agreement, but not enough to defeat Presser's concessionary contract. However TDU's Carhaul Coordinating Committee (TDU-CCC) was able to organize a mass movement against Presser's proposed carhaul contract, which was defeated with 81% voting against it. As a result changes were made and carhaulers got a better contract offer that they then accepted.

Watsonville Canning

Throughout 1985 and 1987 Teamsters and other workers throughout the country were inspired by the struggle of the Watsonville cannery workers. In a move intended to break Teamster Local 912, the Watsonville cannery owners demanded a cut in already low wages, from $6.66 to $4.25. The workers, mostly Mexican and Mexican-American women, struck to save the union and their wages.

The local TDU chapter helped provide leadership, the San Francisco Bay Area labor movement showed its support, while Watsonville itself, in a tremendous show of solidarity, became an entire Mexican-American community on strike. Those at the Watsonville Canning and Frozen Food Company stayed out on strike for a year and a half, from September 1985 until March 1987, and in that entire time not one worker crossed the picket line to return to work.

Finally, the Wells Fargo Bank pulled the plug on the company, took it over, and negotiated with the union. The workers went back to work having saved their union and improved the wage offer. Those sisters in Watsonville had provided an heroic example for their brothers in the Teamsters.

Right to Vote Campaign

While fighting against concessions, TDU also continued to fight for democracy. The need for democratic elections of officers was made clear for all to see when in testimony given in October 1985 former Teamster President Roy Williams revealed what had been suspected all along: that he was controlled by the Mafia. Williams revealed that he had been overseen by Mafia boss Nick Civella.

With the 1986 Teamster Convention approaching, in the fall of 1985, TDU organized a national Right to Vote petition drive and sent TDU organizers and volunteers on the road, eventually collecting some 100,000 signatures of Teamster members supporting direct election of International union officers. In April of 1986, Sam Theodus declared his candidacy for president. TDU, believing that it was important to confront and challenge the Teamsters corrupt leadership, endorsed Theodus and supported his campaign. At the convention, Theodus presented a resolution calling for a rank and file vote on International officers, which was supported by 100 Teamster officials. Theodus lost to Presser, but at least the union had been presented with a real alternative.

TDU members demonstrate for the Right to Vote at the 1986 IBT Convention.

Presser Faces Defeats

Presser could no longer squelch the growing opposition. He was defeated in contract after contract: In August 1987, 53% of the UPS workers rejected their national contract. In May 1988, 64% of the freight workers rejected their national contract. Nevertheless, the union imposed those two minority contracts on the members under the two-thirds rule. Then in July 1988 the carhaulers voted a 72% rejection of their national contract, exceeding even the despised two-thirds requirement.

As momentum for change in the Teamsters was building from below, so pressure for change was also coming from above, from the U.S. government. In November 1986 the U.S. Justice Department announced it was going to bring suit to take over the Teamsters union under the Racketeer-Influenced Criminal Organization (RICO) Act. Teamster leaders, fearing they would lose their big salaries, expense accounts and pensions, launched a big campaign against the government takeover, but failed to stop it. In June 1988 the RICO suit against the Teamsters was filed.

TDU's position on the RICO suit was based on its view that the union had to be reformed by the members, not by judges. TDU opposed a government takeover of the union and called instead for supervised elections to allow the members to choose their own top officials. Eventually, influenced by TDU's position, in March 1989 the government settled the suit, deciding not to take over the union with a full-fledged trusteeship, but to set strict rules for the conduct of elections.

In September 1989, Ron Carey became the first to step forward and announce his candidacy for Teamster president under the new rules. Carey, an honest and hard-working union official who had frequently taken on the employers as well as the IBT leadership, was endorsed by TDU at its November 1989 Rank & File Convention.

The rising democratic movement in the Teamsters was demonstrated again in May 1990 as a reform slate of TDU members was elected to the leadership of Atlanta Local 728. President Don Scott, Secretary-Treasurer Richard Black, Vice President Doug Mims, Recording Secretary Waymond Stroud and the remainder of the executive board pledged themselves to reforming Local 728 and carrying the fight for reform into the rest of the South.

For 14 years TDU was the underdog. The struggle was like that of David and Goliath. Today things are different: TDU is the most important organized force within the Teamsters union standing for democracy, reform and economic justice for workers.

With your support and involvement, as a member of TDU, we can make the Teamsters an honest and democratic union that fights to improve the standard of living of all of our members, and an organization that strives to make life better for all working people.

TDU Rank & File Convention

October 26-28, Detroit

See future issues of **Convoy Dispatch** *for more details, or call TDU for convention information.*

LETTERS FROM OUR MEMBERS

Need News on Newspaper Division

I would like to see more information on newspaper drivers and other newspaper Teamsters from across the country. There is a Newspaper Division in our union, though I don't know that it has had much effect. On the idea that an attack on one local affects all, we need to know what is happening around the country.

Al Marchesi
Local 921, S.F. Newspaper Agency
Redwood City, Calif.

Safeway Takes Stern Measures

As a Teamster driver, I was forced out at age 55 to take an early retirement and severance from Safeway Stores. To pay off its high interest debt, this leveraged-buyout company has taken stern measures against its union workforce. Drivers are mandated by contract to work up to 15 hours per day so as to prevent adding another driver with associated health and welfare costs. Safeway's cynicism is devilish harassment towards our union. The Richmond, Calif., depot is a hell hole.

Dennis Dalton
Local 315, Safeway (retired)
Richmond, Calif.

Progress Benefits All Teamsters

Please continue your work as you have so far. Progress is a long and slow process, but everybody benefits in the long run. Please keep pushing for reform of the pension fund and updating of retirees' health benefits.

Kenneth Dike
Local 413, Roadway
Columbus, Ohio

Sick of Utica H&W Plan's Disregard

Keep working for better pension and health and welfare benefits.

I'm sick and tired of the total disregard of the Teamsters Health and Hospital Plan in Utica for paying hospital bills, doctor bills, dental bills, eyeglasses, etc. Sometimes I have to wait up to six months to have bills paid, to say nothing of the collection agencies' threats of legal action.

Nelson Shrauger
Local 375, St. Johnsbury
Williamsville, N.Y.

Keep Up Work on Western Pensions

Keep up the good work on pension increases in the Western Conference of Teamsters Pension Plan. Push hard for better retirees' medical coverage.

Maurice Young
Local 952, Superior Fast Ft. (retired)
Clearwater, Fla.

MOVING?

Be sure to notify TDU of any change of address. Otherwise you will not receive your *Convoy Dispatch*, as it is sent third class and will not be forwarded.

Our Union Pension Funds Are Our Best Bet

Like our union itself, our Teamster pension plans can use a lot of improvement. And like the union, these pension plans are our best hope for our own security and our children's future. They just need an active rank and file and a responsible leadership to get them on track.

Editorial

Most Teamster pension funds are multi-employer funds. Benefits are set and investments overseen by a board of trustees that includes an equal number from the employers and the union. The ideal is that these sets of trustees balance each others' opposing interests, and run the fund for the sole benefit of active members and retirees.

In both major activities of the trustees—setting benefits and eligibility rules, and making investment decisions—it's important to union members that they have representation on the board.

Using Labor's Capital

Private pension plans in the United States and Canada represent hundreds of billions of dollars of investment capital. In a society where money talks, such large blocks of money represent significant influence over corporate decisions.

Unions can and should use the influence of pension fund investments for the good of members and other working people. After all, those funds are our moneys, part of our pay for the work we do.

Sometimes pro-union investments just mean avoiding anti-union ones. For instance, the Washington, D.C. headquarters of the National Right-to-Work Committee was built entirely with money from pension funds. Or a pension plan may choose not to invest in companies that do business in South Africa, or that bust their unions here at home.

Sometimes investments can have a more direct influence on corporate decisions. When General Motors shareholders voted to double the chief executive's pension to $1.2 million per year, the largest shareholder voted no. That was the state of Michigan employees' pension fund.

There are limits to how far pro-union investment can be carried because of the legal duty of trustees to maximize the financial health of the fund. But often, a pro-union investment will have as great a return as an anti-union one. If management is left alone to make the choice, which will they choose?

Who Owns a Surplus?

Investments do much more, of course, than influence society. They make money for the pension fund. If contributions and investments provide more money than the projected needs of the pension fund, it has a surplus. And if a single employer runs the fund—even if the union bargains benefits—the company can take that surplus for its own use. It's as though the workers put their pension money in a bank that gives all the interest to the company. During the last 10 years, more than $20 billion has been lost to pension benefits because management grabbed the surplus.

In our Teamster plans, benefits and financial resources can be constantly reviewed for improvement. With a good set of union trustees, benefits can be raised before the fund shows any kind of surplus.

Benefit design is an important element of what our union trustees do. Historically, Teamster plans have been of the type that can provide the best benefits: defined benefit plans. In a defined benefit plan, the trustees and their hired experts predict future income from contributions and investments, and then guarantee you a benefit based on that income and your years of service, etc. If investments don't do as well as expected, you still get the benefit they promised; the plan takes on the risk of investments.

The other type of plan is a defined contribution plan, like a 401 (k) savings plan. In these plans, you get out exactly what investments produce, no-less and no more. In other words, you the member are taking the risk that goes with investing. You don't know in advance what benefit you can count on.

Another important aspect of our multi-employer pension plans is the portability of pension credits, or the ability to carry credits if you change jobs. Few people spend all or most of their working lives with the same employer, and most change jobs several times. In Teamster plans, you hang on to those pension credits if you go to another Teamster employer in the same pension plan, and often (though not often enough) you can do so when you move between two Teamster plans.

Teamsters have many ideas about how our pension funds could better serve our members. The funds can do that, and will, as we use our right to vote and rank and file power to return our union, and its pension funds, to the members.

It would be a big mistake to "decertify" our union pension plans, and sacrifice any hope of representation on the boards of trustees.

TDU Meets

ATLANTA
Saturday, July 7
7:30 p.m.
College Park Fire Dept.
Sullivan Road, College Park, Ga.

BAY AREA
Saturday, July 7
10 a.m.
Call: (415) 686-1261

BINGHAMTON, N.Y.
Saturday, June 30
10 a.m.
Elks Lodge
Rt. 11, Kirkwood, N.Y.

CHICAGO
Sunday, July 15
1 p.m.
Last Cast
5978 Archer (off Central)

EASTERN PENNSYLVANIA
Sunday nights
7 p.m.
Amber Inn
Rte. 611, Swiftwater, Pa.

EASTERN PENNSYLVANIA TDU PICNIC
Sunday, Aug. 19
10 a.m.
Fenner's Farm
For directions: (717) 839-7352

FLAGSTAFF
Sunday, July 1
1 p.m.
Little America Truckstop
I-40, Exit 198

INDIANAPOLIS
Sunday, July 22
2 p.m. - 5 p.m.
Waterfront Plaza Hotel
Off I-465, Speedway Exit

JANESVILLE, WIS.
Thursday, July 26
7 p.m.
VFW
1015 Center Ave

KANSAS CITY, MO.
Saturday, July 21
9:30 a.m.
South Branch Library
201 E. 75th

KNOXVILLE, TENN
Saturday, June 30
9:30 a.m.
Best Western Cherry Tree Inn
I-40 at Cherry St.

LIBERAL, KAN.
Wednesday, July 11
10 a.m.
Southgate Mall, Room B-5

MEMPHIS
Tuesday, June 26
Two meetings: 10 a.m. and 7 p.m.
E. Presley Blvd. at Winchester Rd.

PHOENIX
Saturday, June 30
Two meetings: 10 a.m. and 1 p.m.
King's Temple Church
S.E. corner of 28th Ave. and
West Van Buren

SAN FRANCISCO
Saturday, July 14
10 a.m. to noon
Potrero Hill Neighborhood House
953 DeHaro St. at Southern Hts. Ave.

SYRACUSE, N.Y.
Sunday, July 1
10 a.m. - noon
Comfort Inn
I-690 at Jones Rd. Exit

It's Time to Get Organized!

THE CAMPAIGN TRAIL IS OPEN ...

The most important convention in the history of the Teamsters union will convene in Orlando, Fla., in less than one year. Elections to determine who will represent the membership at the convention begin in some local unions in about three months and will be completed in the next nine months. Thousands of rank and file Teamsters are already working on reform-minded campaigns. The checklists on this page show activities that are going on right now in many locals and that should be going on in your local. TDU is here to help you get started in your area and to advise you along the campaign trail. We are organizing to win in 1991, pure and simple. If you're not a TDU member, join now and support the movement that is pushing the democratic process forward, and organzing for a strong Teamsters union.

Activities Checklist

for local unions holding delegate elections January to March 1991

✔Develop broad-based delegate committee and begin circulating Carey petition to reach out to different parts of local.

✔Produce and distribute initial literature. Plan and begin fund raising.

✔Study election rules and notify Election Officer of any past corrupt practices in local union elections.

✔Begin to identify possible candidates for delegate slate.

IMPORTANT DATES THIS SUMMER

JUNE-AUGUST 31 - **Petitioning by candidates for International office to become accredited candidates and receive campaign space in the October** *International Teamster* magazine. Reform candidate Ron Carey is now circulating petitions.

JUNE 30 - Local unions intending to hold delegate elections from Oct. 1 to Dec. 31, 1990 must submit proposed Local Union Plan (LUP) to Election Officer. Request the LUP from your local now and provide input to the Election Officer.

JULY 1 - Right to inspect contracts and/or list of employers in locals holding fall delegate elections. Right to begin campaign mailings in those locals.

JULY 15 - Election Officer to distribute first list of tentative dates, times and places of local union delegate nominations meetings and elections.

JULY 31 - UPS contract expires.

Activities Checklist

for local unions holding delegate elections October to December 1990

✔Obtain list of employers in your local now and begin circulating Carey petition at worksites.

✔Develop broad-based delegate committee and identify candidates for delegate slate.

✔Produce and distribute initial literature, plan for fall mailings.

✔Plan and begin fund raising.

JOIN TDU

TDU MEMBERSHIP APPLICATION

Name_____ Local Union #_____
(please print)

Address _____

City_____ State or Province_____ Zip_____

Phone ( ) _____ Company _____

City Road Dock Clerical Warehouse Construction Production

Other_____

Optional: Spouse's name_____

____$30 membership fee for one year's membership & subscription to CONVOY DISPATCH.

____$75 three year membership fee. ($10 of this shall be rebated to the local chapter.)

____$15 for spouses; retirees; & Teamsters who gross less than $12,000 a year.

Check or money order Cash

Mastercard/Visa: #_____ Exp. date____/____

Date_____ Signature _____

Return to: TDU, P.O. Box 10128, Detroit, Michigan 48210

(TDU membership is kept confidential from employers and union officials)